

NATIONAL MUNICIPAL REVIEW

PUBLISHED MONTHLY BY THE

National Municipal League

VOL. XIV, No. 9

SEPTEMBER, 1925

TOTAL No. 111

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THE LEAGUE'S BUSINESS

Harvard Student Wins William H. Baldwin Prize.—The Baldwin Prize offered annually by the National Municipal League for the best essay on municipal government by a college student has this year been awarded to Morris Ploscowe of Harvard University. The subject of the winning essay is "Informing the Citizens about the Government." Honorable mention was given to Roland A. Colby of Harvard University. The judges were Professor F. H. Guild, University of Kansas; Mrs. Craig C. Miller, secretary of the Michigan State Corrections Commission; Leo Tiefenthaler, secretary of the City Club of Milwaukee.

This Prize, which is open each year to students of American colleges, is in memory of Mr. William H. Baldwin. It is the intention of the donor to commemorate a man who achieved rapid success in the business world (at 33 years of age he was president of the Long Island Railroad) without sacrificing in any way his ideals of fairness, humanity and good will in business. A hard-working man, dying at the early age of 41, he yet found time to render large public service.

So rightly called "Sir Galahad of the Market," Mr. Baldwin was quick to recognize and to attack the fallacies of his time, those appearing through his business contacts and those assumed through a broad interpretation of citizenship. It is suitable, therefore, that this commemoration should lead young students to recognize governmental problems and to try to find solutions for some of those confronting our age.

Below is a selection of prize-winning topics of recent years:

- Administration of the Police Department in Some City in the U. S.
- The Appointment of Higher Municipal Officers by the Merit System
- The Best Sources of City Revenue
- Is the Commission Form of Government a Permanent One?
- A Critical Study of the Sources of Municipal Revenue in Boston
- Efficient Billboard Regulation
- Tendencies in Municipal Budget-Making
- County Government in Massachusetts
- The Influence of Foreign Born Leaders in Municipal Topics
- The Effect of Non-Partisan Elections on the Formation of Municipal Parties
- Municipal Employment Policies
- City Managership as a Profession
- Regulation of Street Traffic



Baldwin Prize for 1926.—The Baldwin Prize of \$100 is again offered for 1926 to the author of the best essay on some subject connected with municipal government. It is open to undergraduate students of any college or university in the United States providing direct instruction in municipal government. Essays should not exceed 10,000 words and must be mailed to the National Municipal League not later than May 15, 1926.

The subjects for 1926 are:

- Bonds versus Pay-as-you-go Plan for Financing Permanent Improvements
- Application and Administration of Special Assessments
- Administration of Local Health Service

For full details regarding the conditions of competition address H. W. Dodds, secretary of the National Municipal League, 261 Broadway, New York.

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COMMENT

P. R. Wins in
Cleveland

In the special election held August 11, the initiated amendment to the City Manager Charter striking out proportional representation method of voting was defeated by a majority of 565 votes. Only 41,271 votes were cast out of a total registration of 212,000.

The amendment was initiated by the Democratic and Republican organizations and the election was called for August 11 when many voters were away from the city. The Board of Elections openly aided the proponents of the amendment; yet the party organizations were defeated on their own grounds and on their own terms.

As soon as the initiated petition was filed, the friends of the new charter organized a Charter Defense Committee and began a vigorous campaign in defense of P. R. Two newspapers, the *Plain Dealer* and the *Press*, supported the committee, while two newspapers, the *Times* and the *News*, supported the amendment.

The chief arguments in the campaign as advanced by the Charter Defense group were: a fair trial for proportional representation; the defects in the proposed amendment; and the effort of the political bosses to get control of the council.

The amendment proposed a return to the 33-ward system of election by a plurality vote without a primary. The proposed ward lines were estab-

lished on the lines of 1921 which was generally recognized as an unequal division of the city and was declared by the Charter Defense Committee to be a gerrymander. The city manager was in no way involved in the campaign. The proponents of the amendment stoutly declared at all times that they were friends of the city manager form of government and were opposing merely the P. R. method of election.

The P. R. method of voting has been used in only one election. Efforts will now be made to induce additional independent candidates to get into the race for the council before the November Municipal Election.

Chicago Wants To
Be a State

* Chicago, by unanimous vote of the city council on June 24, resolved to secede from the state of Illinois. The resolution so adopted was drawn by Alderman Toman and directed the corporation counsel to give the council an outline of the proper legal procedure by which Chicago could separate from the state of Illinois and seek admission to the Union as another state. The corporation counsel in his opinion, handed to the council on June 30, said that "there is no precise method which must be followed in effecting such a separation," that the initial step might be in the form of a petition to the legislature asking its consent to a separation. His conclusion was "that practically the entire

matter, so far as the legal procedure is concerned, rests with the legislature."

The point to the whole thing is that Chicago, in common with many of the other large cities of the country, does not have what it deems its proper proportion of representation in the state legislature. It is asserted that Illinois has not been redistricted since 1901, when Cook County (containing Chicago) had 38 per cent of the population of the state; while the 1920 census showed that it contained 47 per cent. The state legislature has refused to make a new apportionment of representation, in spite of the fact that the state constitution requires a reapportionment after every census. A reapportionment according to Chicago's desires would give Cook County five more state senators and fifteen more representatives. As a sort of comeback at the remainder of the state, it is reported that the Cook County authorities have been holding up tax money due the state on the ground that these taxes are not legal in view of the state government's denial of proper representation in the legislature.

*

Anent Billboards Whether one travels through the mountain passes or upon the treeless plains, one can no longer escape from the billboards. This fact has aroused the ire of lovers of nature and has called forth varied comment from the press. The *New York Times* in a recent editorial, entitled "Battling the Billboards," says:

Many a traveler is grateful for the news that the Marigold Manor serves griddle cakes with maple syrup, or that rooms at the Outside Inn are from \$1 to \$16 per day. But even this can be told without recourse to twenty-foot letters and without a picture that is almost as big as the hostelry. Travelers also tire of repeated demands to sample "weenies," "warm puppies," or

any of the other forms under which vendors of sausages seek to camouflage their leek-and-leather fare. The same is true of the innumerable post-Volstead concoctions put up in colors designed to lure the eye which are doing such damage to American digestive tracts.

The *Western Municipal News* for June published at Winnipeg, Canada, makes the following comment:

A lurid and blatant billboard, advertising somebody's soup, soap or stockings, planted close to the road in an otherwise pleasing landscape, is anathema to those beholders who desire harmony in their surroundings. But, in these days of keen competition, when every available inch of space on buildings, walls and hoardings is covered with advertisements, when even the blue sky is used as a background for advertisements written in smoke, it is not likely that the originators of these advertising methods will forego their commercial advantage in order to gratify the beholders' love of beauty. The only procedure left to the aesthetic motorist (if there be such an animal) is to "step on the gas" and hurry past the offending display.

It should be noted, however, that the roads department of the Province of Quebec has issued regulations forbidding posters and commercial advertisements within the limits of the provincial and regional highways and municipal roads which it maintains. This department asserts that such posters are a standing danger to traffic, and that they have often caused accidents. No signs are permitted but official danger and direction signs.

With us, there is a campaign on in the Berkshires, where some of the residents of Lenox and neighboring summer resorts have joined with the Great Barrington Chamber of Commerce in an effort to mould public opinion against the billboardists. The Standard Oil Company of California is reported to be engaged in the removal of 1,200 billboards in the western states. Similar work has already been accomplished in some parts of the East.

LES AFFICHES ELECTORALES

PARIS GAYLY CHOOSES A COUNCIL

BY ROBERT C. BROOKS

Swarthmore College

Professor Brooks, who reported the London County Council election in the June REVIEW, here reveals the French temperament at elections.

AMONG the characteristic events of the season—*expositions, salons, réves, fêtes, foires, concours hippiques*, and the like—Paris enjoyed to the full last spring the *opera bouffe* of a quadrennial municipal election. As the trees in the *Bois* and boulevards put forth their foliage of tender green the billboards and blank walls in the various quarters of the city burst out with campaign advertisements of every conceivable color, not only green but yellow, orange, violet, purple,—in short every hue of the rainbow. Like the leaves on the trees these *affiches electorales* began with delicate nuances of color and content but as the campaign progressed, and particularly during the week between the first and supplementary elections, they reached a violence of tone, chromatic and textual, which might well have been thought alarming had it not been so exaggerated, so amusing, at bottom so clearly a part of that spring madness to which apparently politicians as well as all other animate creatures are subject.

CANDIDATES FRANKLY PROCLAIM THEIR OWN FITNESS

At the outset the *affiches* proclaimed with no undue modesty the virtues of their authors, more or less estimable if not eminent gentlemen, who cherished the ambition to represent their

fellow citizens in the municipal council. One such effusion, autobiographical of course, although discreetly put in the third person, described the candidate, a radical socialist, as "a firm and reliable republican, capable of collaborating methodically in the realization of all progress, faithful to the ideals of his party and with a spirit open to new truths but with a conscience always on guard against dangerous adventures. A cultivated mind prepared by long experience for the comprehension of all the problems which every day brings forth in the administration of our great city. A man of action who, without undue brutality, puts all his energy and all his tenacity into the accomplishment of results. A scrupulous administrator who never forgets that he is the mandatory of all the voters and that to them he always owes an accounting. An orator, eloquent and well-informed to plead their cause and secure its triumph." Alas for the black ingratitude of republics, the French Republic included; alas for such supereminent gifts, for such astounding capacities, all unused! It is too painful to record, but the author of the foregoing was defeated in the first ballot. As a matter of fact, he ran next to the last of the six candidates in his quarter.

Another aspirant who, however, did not hesitate to use the first person,

announced that "all the good, all the true republicans of this quarter will vote for me. No political group controls me; I am independent and I am all the more so because I practice a profession (law) which enables me to live without seeking in politics the means of support. I wish to place at your disposal my combative temperament, my courage and my energy which I derive from my Breton ancestry and from my colonial experience at Madagascar under Marshall Gallieni—qualities which I have already proved myself to possess in Paris during the years 1912 and 1913—witness my fight against collectivism in the Necker quarter."

More modest perhaps, a third stressed his ancestry in some detail, adding a touching "dere peepul" appeal as follows: "Born in this quarter, a property owner in it since 1922, associated for twenty years with the jewelry firm which my grandfather and my father made illustrious, I have consecrated my life to this population, in the midst of which I have lived, which I know, which I love, the needs and aspirations of which I have sought ever to satisfy."

Still another contrived to work in a bid for the veteran vote, viz., "All of you without distinction of party will vote for me on the tenth of May in the certainty of having at the Hotel de Ville an energetic representative, a defender of your rights, an expounder of your needs, and, if I may speak of my old companions in arms, an upholder of your glory."

MUNICIPAL ISSUES IGNORED

So far as issues were referred to in the Parisian campaign advertisements, they were, with very few exceptions, national, not municipal issues. If the latter chanced to be touched upon at all they were almost invariably dealt

with in the form of glittering generalities. For example, in the Odeon quarter a candidate proclaimed: "We wish no disastrous experience with the Fusion of the Lefts (*Cartel des Gauches*). We wish neither destructive socialism nor bloody communism: such is our slogan. Attached to the ideas of wisdom, of firmness, of moderation which are the honor of our quarter of the Odeon, we will aid the triumph of our ideas by voting on May 10, for V—— B——, Republican Independent Candidate."

The national bearing of the municipal election was frankly avowed in an *affiche* posted by the Civic Fraternity of the Vth and VIth Arrondissements, which read in part as follows:

VOTE FOR THE LEFT

The vote you are about to cast has an eminently political bearing. Do not forget that the municipal councillors will name the senators in eighteen months.

If you wish a Republican senate vote for Republican candidates.

Let there be not a single abstention.

On the other side of the fence it is interesting to note that in spite of the recent cabinet crisis, the French chamber and senate found it convenient to take a fairly long vacation covering the period of the councilmanic campaigns throughout the country. Various explanations were offered for this step, but it is universally assumed that the honorable members employed a certain part of the leisure thus procured in municipal affairs.

To the general statement made above regarding the preoccupation of municipal candidates with national issues one striking exception should be noted. In the Sorbonne quarter a candidate who in private life is a professor at the Beaux Arts posted *affiches* announcing a course of lectures to be given at evening meetings on

such topics as sanitation, gas, water, electricity, subways, housing, municipal finance, labor laws, education, and the high cost of living. It is interesting to note that after a hard fight he won out at the supplementary election.

As the campaign progressed the *affiches* in many quarters took on a bitterly personal tone. They amounted in fact if not in form to an exchange of venomous letters between candidates. And there is not a doubt that this dash of paprika was thoroughly enjoyed by the voters. All day long little groups of citizens gathered before the billboards to read and ruminate. At night when there were no *agents de police* or friends of candidates to interfere, by-standers pencilled comments on the *affiches* which were much too pungent for repetition here. So far as the writer was able to cover the press of Paris during the campaign, he came to the conclusion that it devoted a very small percentage of its space to the councilmanic elections, perhaps less than a fifth as much as American metropolitan journals are accustomed to give. Moreover the few articles which appeared in the Paris papers were general in character and dealt largely with the effects on national politics of the communal elections impending in the capital and throughout the country. Thus the *affiches* and the campaign meetings they announced were almost the only sources of information open to voters on the affairs of their own wards. The large degree of public interest in local bulletin boards was, therefore, not at all strange.

THE CAMPAIGN WAXES WARM

As an extreme sample of the rough give and take of controversial correspondence by means of *affiches*, the following series may be presented:

I

ELECTORS

Why does Citizen B—— wish to be a municipal councillor? To look after your interests or to look after his own? Judge.

The Citizen B—— as architect constructed at Bagnolet for the Department of the Seine a garden city.

The work is only four years old but already it is falling in ruins and the Citizen B—— together with the contractors is being sued by the Department for a million in damages plus interest.

It is easily comprehensible that Citizen B—— would throw money out of the window to assure his election. What a magnificent saving he would realize if, assuming the impossible, he were elected and could then use his influence as a councillor to free himself from the damages claimed by the Department!

II

HONEST MEN OF ALL PARTIES AGAINST CALUMNIATORS

Certainly we have never doubted for a single instant the loyalty, the probity of Citizen B——, nor his professional skill for which he is world-renowned, but in the face of the infamous calumnies of the Citizen G—— we hold it to be our duty to place before the electors of the Sorbonne quarter striking proofs of the bad faith and perfidy of Citizen G——.

Electors of the Sorbonne quarter transport yourselves as we have done ourselves to Bagnolet, to the garden city of houses, semiprovisional in character, constructed by Citizen B——. You will wish ardently that all the workers of the Sorbonne quarter were lodged in houses as comfortable, as sanitary, as admirably planned as those which the Citizen G—— says are in ruins. (Etc., etc.)

This advertisement is not dictated by any political consideration. Representatives of all parties, even of the Right, have signed it. There is here no question of politics but only of elementary honesty.

III

FURY OF B—— UNMASKED

The reply of B—— is nothing but a tissue of shameless lies.

The brother of B—— is a boxer, the poor woman who was his companion is weak and sick.

To speak of assault and battery by this woman against the boxer would be ridiculous if it were not odious.

In reality it was the brother of B——, who, having met the poor woman on the street, December 23, gave her an uppercut which felled her to the earth and left her unconscious, knocked out, for more than a quarter of an hour. The unfortunate woman made complaint to the police. B—— boasted of having stopped the prosecution by his political influence, and as a matter of fact nothing has been done in the case to this day.

B—— lies with the greatest effrontery when he affirms that he is not a millionaire. Open the real estate registry and you will find that the property at Rue H—1, where he lives, is entered as belonging to Mme. R—— E——. This property is worth more than a million and Mme. R—— E—— is none other than the wife of B——.

Open the architect's annual: there you will read that B——, as architect of the State and of the Department, has offices at Chartres, Hazebrouck, Vimy, Peronne, and Le Nouvion-en-Thiérarche. Four offices in the devastated regions! The exploits of B—— as a restorer of ruins are the fable of all his colleagues.

Electors, once again judge the man who presents himself for your vote and then execute him.

IV

NEW AND ODIOUS CALUMNY

What calumny, what lies! Will they never finish with their inventions?

They think, they also, that "of calumny some part always remains."

What falsity! How abject it all is! And now these eleventh hour lies.

I shall sue these wretches before the courts for these abominable calumnies.

But just let them dare to speak to me in my face instead of attacking me always in the rear.

In spite of the superheated character of the foregoing language no blood was shed during the Parisian municipal campaign with the exception of the affair of the Rue Damrémont which doubtless received more or less attention in the American press. Accounts of this incident vary widely, especially as to which side was the aggressor.

However, it seems to have been an attempt by communists and nationalists to settle their political differences by revolvers; result, four nationalists killed, fifty persons wounded including the normal quota of innocent bystanders,—the original political differences between the two parties remaining the same as they were before the *mêlée* apart from the exacerbation caused by bloodshed. Of course the affair was bound to figure in the *affiches*. One of the latter, deeply bordered in black, bore the names and occupations of the four victims, followed by the words:

Le 23 Avril 1925 à 23 Heures
Sont Morts
A S S A S I N É S

Constantly during the campaign efforts were made by the extreme right parties to convince the people that bloody communism was impending, and by the extreme left that equally bloody fascism was on the cards for the immediate future.

SOME FEMINISTS PARTICIPATE

A minor feature of the campaign was the activity of feminist and suffragist organizations. The former put up a candidate in each of the eighty quarters, but as women are not yet eligible under the law this was merely a propagandist gesture. The vote cast for them, which has not yet been reported in the press, is said to have been very light. Suffragist organizations of a less advanced character contented themselves with the posting of *affiches*, one of which may be translated in part as follows:

Why has not the French woman the right to vote? She works, obeys the laws and pays taxes just as a man does.

We demand a ballot which will permit women who work (the majority of us) to defend their interests, widows to represent the fireside of the father who is no more, mothers to protect the rights of their children and which will be the surest means to maintain respect for religious liberties and to bring about reasonable reforms concerning child welfare, public hygiene and public morals.

Desirous of aggrandizing the rôle of the family and of fortifying its action we demand that we be made the auxiliaries of the men in the political arena to the end that we may serve more efficiently the interests of the Patrie.

While regretting that parliament has not yet given women the right to vote, the National Union for Women's Suffrage, out of respect for existing law, has decided not to present candidates at the municipal election.

But it pursues its energetic campaign to secure the triumph of its just cause and invites all women to join it in order that woman suffrage may come more quickly.

Join It: Get Others to Join.

BATTLE LASTED FOR TWO ROUNDS

In Paris the election of Sunday, May 3, resulted in the filling by a majority vote of 41 councilmanic seats, leaving 39 others to be decided at the supplementary election a week later. Having thus tested out their strength in the first round the various parties promptly formed combinations in the 39 undecided quarters. Usually two such combinations emerged, one of the more moderate or conservative, or, if you please, more reactionary groups; the other of the various radical-socialist, socialist, unified socialist, and even communist groups (*Cartel des Gauches*); the general principle being that the candidate of either group who received the highest number of votes at the first ballot was put up alone for the second election.

So far as the battle of the *affiches* was concerned the tactics above described had two sharply contrasting results, first the appearance of a number of very courteously worded announce-

ments of withdrawal by the less successful candidates in the first vote; second, the injection of new rancor into the printed correspondence of the two principals left in the field. Examples of the latter have already been given. A common form of withdrawal was as follows:

THANKS

I thank cordially the 463 electors of the St. Germain des Près quarter who so kindly gave me their votes last Sunday.

I am profoundly grateful to them for the confidence they have shown in me. Conforming to my earlier declarations and in a spirit of patriotic discipline I ask them to cast their ballots now for

M. R——— L———

and thus to assure in the second polling the triumph of the policies of the National Union against the political menace of the Fusion of the Lefts.

(Signed) A——— L———.

After the second election on May 10 both victors and vanquished had something to say, usually much more moderate in tone than their earlier statements. Thus one of the former posted the following:

THANKS

From the bottom of my heart I thank the 1,340 electors who by giving me their votes on May 10 secured the triumph against the coalition of communists and cartellists of republican union, social and national. Let them be assured of my profound gratitude.

To all other voters I say the incidents of the electoral campaign are forgotten. Our quarter will find in me a representative active and devoted, who will have at heart the defense of the interests of all the inhabitants of St. Germain des Près.

Vive Paris! Vive St. Germain des Près!

His opponent had the last word, as follows:

THANKS

To the 1,242 voters who gave me their suffrages I address this expression of my cordial thanks and my felicitations on the ardent cam-

paign which they carried on at my side for the triumph of the democratic and social republic.

1,242 against 1,340.

The breach is wide open. The fight will go on.

VOTING PROCEDURE

So far as methods of voting are concerned the writer noted nothing of particular interest except the new and decidedly elaborate form of the *Carte d'Électeur* which every voter must bring with him to the polls. In Paris these took the shape of a four page folder stating on page 1, names of the arrondissement and quarter and the fact that they were valid for all elections both communal and for the chamber of deputies from April 1, 1925, to March 31, 1926; on pages 2 and 3, the location of the polling place, the name, date of birth, profession, and domicile of the voter, his number on the official list of voters, his signature, and if he wished to include it, his photograph. At the side blank spaces were left to be stamped by the election officers with the dates of the elections at which the voter appears. On the last page the polling hours were stated and the elector was warned that he would be permitted to vote only after he had withdrawn into a booth (*isoloir*) and there placed his ballot inside the official envelope provided for that purpose. The document concluded with the official stamp of the *maire* of the arrondissement and the (printed) superscription of the *maire*. All together these French electoral cards are quite the most complete forms of identification for voting that the writer has encountered.

WHY THE MODERATES WON

In Paris 529 candidates presented themselves for the eighty councilmanic seats. The number was unusually large, due partly to the nominations made by the feminists. Party strength

in the newly chosen body will be as follows:

MODERATES	
Conservative	8
Republicans of the Right	18
Republicans of the Left	15
Radical Republicans	6
Total	47
CARTEL	
Radical Socialists	6
Republican Socialists	5
Socialists (S. F. I. O.)	14
Communists	8
Total	33

As compared with the preceding council the Moderates lost three seats to the Cartel. However, the control of the council remains safely in the hands of the Moderates and therefore no immediate change may be expected in the municipal policies of Paris. Socialist papers complain bitterly that the result shown above is a complete falsification of the popular will. According to their figures 205,000 votes were cast at the first election for candidates of the National Bloc (Moderates), 196,000 for candidates nominated by the Fusion of the Left (Cartel), and 95,000 for Communist candidates. In the supplementary election Communists and Cartellists generally fused. On this basis it may be assumed that the popular vote of Paris would have divided roughly as follows: Moderates, 41.4 per cent; all shades of Socialists 58.6 per cent. So far as seats in council are concerned these proportions are almost exactly reversed.

The principal justification for the foregoing result is that it is an old, old story. Long ago Paris was divided into arrondissements which have retained the same boundaries regardless of subsequent shifts of population. Similarly all the arrondissements were

divided into quarters, each entitled to one seat in the council. No doubt the permanence of boundary lines is a great convenience in many ways. Every citizen of Paris knows his ward and quarter and is familiar with the location of the administrative offices therein—a condition seldom if ever paralleled in American cities. But as a basis of representation, arrondissements and quarters have become grossly unfair. For a glaring example contrast Bercy of the XIIth Arrondissement which had 3,294 qualified voters with Clignancourt of the XVIIIth which had 28,055. Yet each was entitled to one seat in the council. Reform of this condition has been discussed frequently of recent years, but without definite result. Energetic efforts to secure a fairer apportionment are promised for the near future.

Following the communal elections in Paris and throughout the country the party press has been actively engaged in the interpretation of their bearing upon national politics. Statistics were largely employed in the process, and it is alleged that when official figures proved inconvenient certain journals did not hesitate to concoct tables and totals more to their taste. Amid such conflicting claims it ill becomes an innocent American observer to hazard an opinion. Nevertheless, there seems to be general agreement that the communal vote of 1925 shows a continuance of the general trend manifested in the parliamentary elections of 1924 with a further deflection to the left.

Parties of the right barely hold their own. Groups in between are being wiped out in France as in England and Europe generally. What will transpire when the chambers meet again remains to be seen, probably nothing very spectacular at first. Nevertheless the friends of M. Herriot must be encouraged to greater activity. Recent news items announce his triumphant re-election as mayor of Lyons, following the launching of a manifesto in favor of social insurance and social legislation, policies intensely disquieting to gentlemen who long for budget equilibrium and no increases of taxation. Painlevé's cabinet so recently installed may not be long-lived, but then, of course, French cabinets seldom do live long. Meanwhile the numerous and enthusiastic enemies of M. Joseph Caillaux, the newly resurrected minister of finance, are convinced that now, much sooner than they had expected, they are going to lift his scalp, if so perfect and so highly polished a dome above the ears may be said to possess a scalp. Amid the *brou-ha-ha*, as the French so elegantly put it, of this endless chatter about the repercussion of what, after all, are purely local elections upon national politics, one does encounter at rare intervals some still small voice, faint as conscience in a sin-steeped soul, uttering the pious hope as *Figaro* puts it, that "the majority may justify its success by a greater care for the beauty of Paris and an exact economy in the conduct of its finances."

PERMANENT REGISTRATION FOR ELECTIONS UNSUITABLE FOR LARGE CITIES

BY FRANK H. RITER

Chairman, Philadelphia Registration Commission

A feature of the recent session of the Pennsylvania legislature was the consideration of a permanent registration law, which is here criticized by a prominent election official. :: :: :: ::

THE personal permanent registration bill introduced into the last session of the Pennsylvania legislature was almost a copy of the act that was put in force for the first time in Minneapolis last year and it is quite evident that sufficient time has not elapsed to test the value or show the defects of its provisions. Two of the registration commissioners of Philadelphia investigated at first hand the operations of the Boston law, which is constantly referred to as a model and has been in force since 1896.

POLICE REGISTRATION ESSENTIAL

It may be stated at once that the Boston authorities, as well as their most capable assistants, regard as a fundamental necessity to the proper working out of any permanent registration law a complete listing of all the residents of the city over twenty years of age by some responsible body. In Boston they use the police force, which is non-political. They hold that its enforcement is impracticable without it, yet this fundamental feature of the Boston system was completely omitted in the Pennsylvania bill. The Boston commission holds that it is the only way by which the registration list can be at all properly checked and fraud prevented. The commission also had interviews with Albert S. Bard, chairman of the Election Law Committee of the Citizen's Union of New York City and one of the editors of the Election

Law of 1909; Nathaniel J. Palzer secretary of the Honest Ballot Association; Edward H. Wilson, one of the editors of the present election Law of New York; and Charles E. Heydt, secretary of the board of elections of New York City, all of whom have given a great deal of consideration to the subject of permanent registration as applicable to New York City, and it is their opinion that any permanent registration law for cities of the size of Philadelphia and New York, with their large floating populations, is out of the question if honest registration is to be secured. They as well as the Philadelphia commission are of the opinion that such an act as is proposed would result in the gradual filling up of the permanent registration lists with fraudulent registrations by reason of the large number of citizens who, in these great cities, never live in any one place a very long time; and it may be assumed that this class of citizens could not be relied upon to notify the registration commission of their change of residence. The Philadelphia registration commission agrees with the Boston commission that if a permanent registration act is to be adopted it should be preceded by such a list as Boston regards as fundamental; so that the subsequent registration list can be properly checked against it; but it is also of the opinion that a permanent registration system cannot be successfully carried on in Philadelphia.

There can be little doubt but that a permanent registration system such as is proposed would cost much more than our present annual system of registration. Of course it will be easily appreciated that under the provisions of the bill proposed where there is no adequate provision for a systematic checking of the registry lists, the number of names upon a permanent registration list will greatly increase, but that many of such names would in effect be fraudulent. To illustrate how easily fraudulent registration can be carried on, it appears that in the November election of last year a number of persons who registered and voted at Surf City, New Jersey, had also registered in Philadelphia. This was discovered in the development of a contest over the result of the election.

COST OF ADMINISTRATION

Philadelphia registered 480,322 citizens in 1924. Particular attention can be called to but a few of the important provisions of the bill under consideration by the legislature affecting the cost of administering it. The registration would have to be made upon cards. These would approximate 500,000. These make up an original register, alphabetically arranged and indexed and must be retained in the office of the commission. The bill then provided that two photostatic copies shall be made, one designated as a duplicate register and the other as a district register, both to be arranged alphabetically and indexed. These two groups of cards were to be kept in the office of the commission and used as provided in the act. In addition to the above two street lists were to be prepared for each election division, setting forth the names and residences of those registered according to streets and houses. One of these lists was to be hung permanently outside of the

polling place and the other to be used presumably as a copy for the printer from which street lists are printed for both the general and primary election. After the street lists were printed, provision was also made for the printing of supplemental street lists for both primary and general election. Furthermore the commission was required to prepare for each election division a book bearing close resemblance to what is now known as the ballot check register.

You will thus see that in addition to the handling of the 500,000 original registration cards and the 1,000,000 photostatic copies, the commission would have had to prepare annually two street lists for both the primary and general elections, and also the ballot check book. These would approximate 1,500,000 entries of names and addresses, and would necessitate printed street lists and supplemental street lists for both the general and primary elections, all of which is expensive. It may be stated that it cost Boston last year \$20,940 to record in one set of books 495,347 names, addresses, etc.: The cost in Philadelphia would not be less. The cost of clerical service alone in the preparation of the two copies of the street lists and of the ballot check register could not be less than three times what it cost Boston to prepare one such copy covering approximately 500,000 names. Printing likewise would cost a very large sum. It cost Philadelphia \$41,099.74 last year to print one street list covering 480,322 names for the general election, yet a typed statement circulated at Harrisburg stated that the adoption of the bill under consideration would reduce the cost of registration. It is frankly acknowledged that there would be a large saving in the amount now paid the registrars, but this saving would be more than balanced by the necessary

increase in the number of permanent and more highly skilled employees of the registration commission. In addition to the above permanent registrars with annual salaries would have to be included, numbering under the provisions of the act at least one for each of the forty-eight wards. But as a matter of fact many more than forty-eight would be needed as well as a high-grade clerical force to carry out the elaborate machinery of the permanent registration system.

ANNUAL REGISTRATION WOULD STILL BE LARGE

It must not be supposed that if permanent registration were adopted that there would not be a large registration annually and that the cost of printing alone in connection with this would be very great. While transfers are not new registrations yet they would be quite numerous, and based upon the experience of Boston would amount to 48,033 in Philadelphia annually or about 10 per cent of the existing registration. New registrations, consisting of those becoming of age and new residents, would, based upon the experience of Boston, amount to 26 per cent of the existing registration, which, according to the registration in 1924, would number 124,883. There are other figures that would have to be added to the foregoing if there was any way of estimating them, such as the number of those who had been dropped from the registration list, under the provisions of the bill, for not having voted within two years, and who wish to re-register so that they may be qualified to vote in the future.

It should not be overlooked that in those states where they have permanent registration there is no tax prerequisite for voting. But in Pennsylvania there is such a tax prerequisite and

as long as it prevails a difficulty necessarily presents itself. When one registers it is intended that he should have cleared all obstacles out of the way of voting; that there should be nothing further demanded of the voter when he goes to the polls but his identification and the casting of his ballot. The proposed permanent registration act nevertheless did require that the citizen should prove that he had paid a state or county or poll tax within two years of the election. It is inconsistent with the thought behind permanent registration to require citizens to prove to a registration board the payment of a tax every two years. Yet the constitution of Pennsylvania provides that a citizen must prove that he has paid a state or county or poll tax within two years of the time he proposes to vote. The act therefore had to require that, when a citizen presents himself at the voting booth, he must make good his right to vote by producing such a tax receipt. Under the registration law now in force the payment of this tax must be established when the citizen registers and not when he votes. Experience convinces us that the proposed change would cause great confusion to the voters in Philadelphia and be the means by which voters would be annoyed and harassed.

WOULD MORE VOTE?

Another reason given by the advocates of permanent registration is that it will increase the interest in voting by making it easier for citizens to register. Facts will hardly bear out this theory. The following cities where various forms of registration are in use present an interesting comparison. It rather proves that citizens interested enough to register annually will in larger numbers vote at elections than where registration is what is called "permanent."

City	State	Registration	1923	1924
Detroit	Michigan	Four year	38.7	90
Boston	Massachusetts	Permanent	42.6	88.7
New York	New York	Annual	93.3	96.3
Chicago	Illinois	"	83.5	93.6
Philadelphia	Pennsylvania	"	76.4	94

DES MOINES CLEANS HOUSE

BY MERZE MARVIN

Des Moines, Iowa

Graft exposed and erstwhile public servants sent to jail remind us that we shouldn't grow too complacent. Eternal vigilance may be needed, after all. :: :: :: :: :: :: :: ::

State of Iowa vs. Mary Frase, Criminal Docket 24, page 17101. Charge: Obtaining money by false pretenses. Jury trial; verdict of guilty; sentence, seven years in Rockwell City Reformatory.

THE above docket entry in the thumb-worn records of the office of the clerk of the district court of Polk County, Iowa, is but one of thousands. Nothing is noted which makes it unusual or takes it out of the commonplace. Back of it, however, lies a remarkable story—one which involves more than the ordinary run of sordidness and treachery, victory and defeat,—one in which taxpayers were arrayed against politicians, prosecuting attorneys against slick lawyers, and municipal graft against good government. It is the story of how an American city cleaned house, lodged a number of public servants of erstwhile good reputations in the state's penal institutions, made righteous men out of certain of its contractors, placed an increased value on its tax dollar, and put its public affairs on a plane of decency and efficiency,—all in the last two years.

HERE IS THE STORY

In 1916, one Harry B. Frase, was elected commissioner of the department of parks and public property. He appointed his sister, Mary Frase, secretary of the department, and his close friend and political adviser, John Bachman, a former city treasurer, assistant superintendent of the department. Mary kept the office records; John "supervised" the custodians of the parks and cemeteries between drinks and political conferences; and Harry "gladhanded" the "peepul." In 1919, Russell Cockburn, broke but politically potent, needed employment. Suitable pressure was exerted and he was assigned to the position of time-keeper in the department of streets and public improvements. In the same year Harry X. Miller, who could also produce votes when needed, was appointed to a position of trust in the department of public safety then presided over by his brother.

These four officials have been convicted of crimes ranging from obtaining money by false pretenses to embezzlement. Harry Frase resigned at the

behest of the attorney-general sixty days after being elected to his fourth consecutive term. Now Mary is tending chickens for the state at one of its reformatories; John is under sentence to the penitentiary, but is still at liberty on a petition for a rehearing to the state supreme court, which lately affirmed his conviction; Miller is assiduously piling coal behind the towering walls of Fort Madison; Cockburn, committed to the reformatory at Anamosa for seven years, is temporarily outside the wall while undergoing treatment for diabetes. One of these cases concerned the courts of two states and established a record in extradition proceedings.

PART PLAYED BY BUREAU OF RESEARCH
—PADDED PAYROLLS

The downfall of the grafters was brought about by an ex-service man named Clarence Young. In 1921, at the age of thirty-three, he was employed by an organization of local taxpayers called the Bureau of Municipal Research to make a study of conditions at the city hall, and determine ways of increasing efficiency in the administration of public business. In a few months he brought about graft disclosures which shocked Des Moines. To Young's friend, Vernon R. Seeburger, county attorney, also an ex-service man and thirty-three years old, fell the responsibility of prosecuting the bulk of the graft cases, a task which involved turning a deaf ear to political pressure, threats and the like, required weary weeks of work in the trial of each, and necessitated a chase through the courts of Missouri to secure extradition of one of the defendants.

Following the organization of the Bureau, Young began looking into accounts at the city hall. Gossip directed attention to the parks depart-

ment. A personal interview with every man employed in the city's fourteen parks and cemeteries was the first link in the chain of evidence collected,—a task requiring more than two months. Comparison of this list of persons actually employed with the payrolls for a like period proved that eighteen fictitious names were carried on the department payrolls. Young secured the co-operation of the auditor of state, who sent state checkers to assist in auditing the accounts. The investigation of payroll expenditures covered a period of fourteen months. During this time, it was charged that \$23,084 was apparently fraudulently appropriated by department officials through a system of payroll padding.

Payrolls were compiled twice monthly for all employees of the department by Mary Frase or John Bachman. The auditor approved the payrolls and drew the warrants for the employees, who were supposed to call at the auditor's office on pay day and receipt for their warrants. Mary, however, adopted the custom of giving to the treasurer a list of a few names of employees, who, she claimed, could not call in person. This list contained the names of both real and fictitious employees, together with a bunch of labeled envelopes corresponding to the list of employees. The treasurer cashed these warrants, placed the amounts due each employee in the envelope bearing his name. Mary later called for the envelopes and delivered the legitimate ones to Bachman to be handed to the employees. The cash in the envelopes addressed to the fraudulent employees thus got into the pockets of Mary or Bachman without either being required to receipt the warrant stubs.

When the number of fictitious names dropped from eighteen to eleven, immediate action was decided upon. The

city council passed a resolution requiring each city employee to call in person for his warrant. Six of the eleven warrants were demanded by four men, two obtaining two warrants each by calling at different times under different names. These men were followed and interviewed. Their testimony helped convict Bachman. The envelopes which Mary had prepared for these eleven fictitious persons remained in the hands of the officials and assisted materially in her conviction.

Mary was arrested, tried and convicted, despite predictions of knowing politicians and the suspicious public that she surely would be "turned loose." After her conviction comment was rife that she would escape justice through appeal or parole. Neither availed her anything. She was forthwith committed to the women's reformatory, where she has since remained.

ASSISTANT SUPERINTENDENT FLEES— MORE PAYROLLS PADDED

When news of the graft investigation involving the parks department first leaked out, John Bachman resigned and departed for parts unknown. He was immediately indicted, but his whereabouts was not discovered until nearly a year later, when he was found living at San Antonio, Texas. His capture came as the result of a reward offered by the Bureau. When circulars offering the reward were sent broadcast, a police officer saw his picture and arrested Bachman at a local club. A trial of two weeks' duration followed, and resulted in another conviction.

After the parks department investigation was completed, Young and the state checkers began work on the books and accounts of Harry X. Miller, superintendent of the garbage disposal plant. Miller was found to have used

the same system of payroll padding employed by the others, but his ingenuity went further. He used the names in his payrolls of two men who actually existed, but who did not work for the city. On pay days they called for the warrants drawn to their names, cashed them, and presented the proceeds to Miller, less a pittance as "commission." Besides padding payrolls, Miller's books showed many queer entries. For example, a substantial, five-ton truck was almost continually in need of repairs, according to Miller's records. The frame had been welded four times, four new tires for it had been supplied, and once a two week's garage bill was paid on it, so the records said. But the truth was that it had never been out of commission, the frame had never been welded, no new tires had been placed on it, and it had never been in the garage for storage.

Miller did not run away as did Bachman, but stood his ground for a time and denied his guilt. After the jury had been sworn and some evidence introduced, he changed his plea to "guilty," and was sent to prison for seven years.

Russell Cockburn, timekeeper, made the biggest haul of all the grafters, having embezzled more than \$21,000 that the checkers were able to prove in a single case. There were other cases against him. When the investigation began, Cockburn was found to be the owner of property amounting to thousands of dollars. He was also prominent in the city's "night life." Cockburn proved a sturdy fighter even in the face of staggering frauds, but his chief defense was a case of diabetes behind which he sought to evade justice.

The young timekeeper first directed suspicion against himself by his morbid curiosity at the investigations in the

parks department. When the searchlight was finally turned on him, it was found that, on a salary of \$150 a month, he deposited \$85,000 in his bank account in fourteen months. His account showed that large deposits were almost invariably made immediately following the city's pay days. Deposits ranged from \$500 to \$3,000 at a time. His original deposit slips in his own handwriting were compared with the bank's clearing house letters and the itemized warrants, and all checked to a penny. Both tallied with the payrolls which Cockburn prepared for the city. He had deposited fraudulent warrants directly in his account. In all he obtained over four hundred warrants, involving eighty-four payrolls and totaling \$43,000. Foremen in the department appeared as witnesses against him, and testified to the falsity of the list of employees as compiled by him. He even went so far as to fake a complete gang of alleged employees from the foreman on down. The name of L. A. Burns was given to this imaginary foreman, and it was on this that he was indicted. Cockburn's originality in the selection of names eclipsed that of his brother and sister grafters, for whereas they used the same names over and over again, he never duplicated a name. Each payroll looked like a fresh page from a city directory.

TIMEKEEPER ESCAP BUT IS
EXTRADITED AFTER FIGHT

Discovery of Cockburn's defalcations paled into insignificance beside the task of bringing him to trial. He was slightly diabetic, and he successfully hid behind his illness for over a year before he could be forced into court.

"Is Cockburn seriously sick, or is he bluffing in order to escape trial?" Thus wondered the taxpayers who had

paid thousands of dollars in tribute to his corruption.

"It will kill Russell to stand trial. Nothing short of murder—too sick—he has only a few weeks to live." These were the comments of Cockburn's attorneys, his relatives and friends.

"He eats sugar when he thinks he is going to be examined. He forgets to take his insulin when threatened with trial," replied the skeptical and defrauded public.

"Very sick. He may die. We wouldn't recommend trial." Thus said the doctors of doubtful courage appointed by the court.

While the experts were disagreeing over Cockburn's fitness to stand trial, he quietly slipped out of the state and began taking treatment at the Veteran's Hospital at Jefferson Barracks, Missouri. Finally County Attorney Seeburger declared that the monkey business of Cockburn and his doctors had to stop. Forfeiture of his bonds was demanded by the county attorney and granted by the court, and Cockburn was ordered to trial.

Cockburn was not within the jurisdiction of the Iowa courts, so the order meant little of practical importance. But it set the ball in motion, and the fight was on. Seeburger applied to the governor of Iowa for extradition on Cockburn. With the governor's warrant he proceeded to the governor of Missouri and sought to extradite the fugitive. A bitter fight ensued and extradition was granted. When Seeburger and the Iowa sheriff attempted to take Cockburn into custody they were met with a writ of *habeas corpus* issued by the circuit court. On a trial the court awarded the prisoner to the Iowa officers. When they again tried to take him they were halted by another writ of *habeas corpus* issued by the court of appeals. Before that court Seeburger again established his

right to the prisoner. As he was about to leave with him he was met with a third writ of *habeas corpus* issued by the supreme court. A hearing there resulted in that court ordering Cockburn back into the custody of the Iowa officers. At this juncture, however, the hospital authorities, who had been won over by Cockburn to his side of the case, refused to honor the mandate of the supreme court, and threatened to use the nearby military forces if necessary to hold Cockburn. But Seeburger, undaunted, wired the Veteran's Bureau at Washington with the result that the hospital officials were instructed to release Cockburn to the Iowa authorities. The Iowa sheriff, at the direction of the county attorney, seized Cockburn, though threatened with charges of abduction, rushed him away in a taxi, and after following a circuitous route landed him back in Des Moines. With the party was a physician specially employed to watch Cockburn's physical condition and prevent abuse of his health by the prisoner. He was placed in a hospital and carefully guarded. The trial finally got under way.

"We'll rock the city hall," said his attorney, threatening an exposé of alleged higher-ups, if the case proceeded to trial. The ensuing trial lasted three weeks. Thousands of exhibits, including payrolls, warrants, time books, time sheets and council resolutions were introduced. Cockburn appeared daily in his wheel chair attended by a nurse supplied by the

state. At the conclusion of the state's case, Cockburn's threat "to rock the city hall" vanished into thin air. The case was submitted to the jury, which found him guilty in fifty minutes. He was sentenced to seven years in the reformatory. And he is still alive although nearly a year has elapsed since he was tried.

\$100,000 SHORTAGE CHARGED

Several more indictments are pending in the graft cases—three against Mary Frase, two against Bachman, five against Miller, and two against Cockburn. Besides these, there are several against accomplices of those convicted.

Shortages to the amount of \$100,000 were charged through the entire investigation. Of this amount, \$49,000 has actually been proved in the trials to date.

In addition to the payroll padding, large overpayments had been made under suspicious circumstances to grading, paving and other contractors doing work for the city. These were carefully checked, and, as a result, \$23,000 has been repaid to the city on demand, and suits have been instituted for \$43,000 more.

The state checkers are still busy. The office holders wonder "who next." The people—the taxpayers—who have been looted see the dawn of a new day in popular self-government, and are profuse in their appreciation of the efforts of those whose courage forced the investigations and convicted the offenders.

A REALTOR TALKS ON CITY PLANNING AND ZONING

BY JOHN H. GUNDLACH

St. Louis

Excerpts from an address on services which a property manager should perform for his clients, delivered at the National Real Estate Convention. :: :: :: :: :: :: :: :: ::

GROWTH in values in a town or city which follows expansion because of the pressure of population is not the product of the individual except as expressed in co-operative effect. Sometimes natural or artificial conditions not of our making produce desirable effects, but these are the exceptions, and the results to be striven for, are to be found in an intelligent system of urban development which the realtor should invite and encourage. Failure to recognize the value of proper city planning is reflected in our average American city by the miles of decadent property which in normal times is not only difficult to realize on, but discourages the owner and prospective buyer from future realty investments.

COST OF A HIT OR MISS POLICY

The future of realty can be foretold with almost mathematical accuracy and it is in studying the factors of conservation and future development that the realtor can give service of great value to his client and plant for himself and his associates the seeds of continuing prosperity. While the laws that govern are not infallible, they are determining as near as human control can make them. And this suggests the thought that every realtor should be compelled to take a course in city planning and economics before he is

permitted to receive a license to engage in business.

As we know, a so-called hit or miss policy in building our cities has too often brought preventable ruin to the holder of real estate. It is easy to understand how a subdivider in boom times will fall a victim of over-confidence in the capacity of absorption; but with intelligent planning, the populated sections should be the last to feel and respond to decline.

St. Louis a short time ago passed a bond issue of over \$87,000,000, considerable of which sum could have been saved had the property manager been mindful of civic needs and stood up resolutely for common sense in city building. More than this, many millions would have been saved to owners by the policy of stabilization which must govern if permanence is to be encouraged. No greater mistake was ever made by the manager or owner of property than to permit central and old property to deteriorate from lack of repairs. In its wake follow loss of values and rental returns and the final step to the slum with its undesirable tenancies and harmful picture of civic retrogression. It should be the realtor's duty to aim at the preservation of the central city at its best, and look upon enlargement of this heart, by the natural pressure of growth. He should

be quick to see the harmful effects to property values through the senseless shifting of central development from one section to another, not in response to growth, but through the shortsighted policies of owners of the older property and the enterprise of owners in the newer parts. If this concerned only the owners of the abandoned sections, the case would not be too serious, but the results are a positive injury to the sightliness of the city with consequent loss of taxing revenues, and losses shared by the financial agencies which have made loans commensurate with former values. It is the property manager's duty to use every argument he can to bring an owner to a realization of his obligations to contribute to factors that will prevent such action to occur.

American towns and cities have too long delayed learning that the abandoned and slum districts have no place in well governed and intelligent communities. While loss in value to improvements is inevitable to age and because of the migratory microbe in the American makeup, our apparent unconcern of the conservation of real estate wealth is one which should justly claim the serious thought of every realtor and property owner.

But it is not only the central parts of our cities that must be studied by the manager of property. I should say that in addition to his knowledge of values of unimproved and improved, of building construction and financing, he should be the leading city planner in his city.

ZONING IS PROFITABLE

He should study the inevitable results and aim to prevent the intrusion of the use of property in neighborhoods where such use is catastrophic to the values of the street or neighborhood. He should understand that the making of an

immediate commission is not of as much consequence as making another tomorrow; next week. As between a commission and a sale for a client by which injury will be done to the neighborhood in which the property is located, don't make the commission. Recently in my state, a zoning ordinance for St. Louis was declared unconstitutional in the main because the law did not provide compensatory damages for the owner of property who claimed depreciation. The news of the decision had scarcely been flashed over the wire when the building commissioner's office was besieged by an army of parasitical freebooters, seeking to secure permits for the release of new blights on the helpless owners of adjacent property. As a result many of our finest thoroughfares are being irreparably injured by these acts of legalized anarchy and it is to be wondered at that this is not met by mob vengeance. If this is moral, ethical, economical and good law, you may as well justify the robbery of a bank by its president, cashier, or other official, or condone the offense of the adventurous bandit who possesses himself of the funds at the point of a gun. The underlying moral principle in both cases is the same; the unscrupulous personal presumption of the profit of one, at the expense of the community.

We hear much of the rights and inviolability of private property in the sense we were told of the divine right of kings and vested privilege. The opposition to zoning is based on the rights of one to the detriment of the many. Would you say the rights of private property were conserved by permitting one to intrude a use of property in a locality where such use, contrary to established practices, will cause depreciation of the balance of the block, a street, or a considerable area exceeding this? Is individual gain realized through destruction of neighbors'

values paramount to the rights of these injured neighbors? If a junk yard invades a nice residential street whose right of property is to be respected, the junk man, or the twenty or more owners whose values have been seriously impaired?

It was my misfortune some time ago to sell an unrestricted lot to a purchaser who erected a filling station to the injury of a nice residential street. I have since been offered twice the price secured for this lot for one diagonally across the street provided I would not restrict its use for a similar purpose. In view of the previous experience, I promptly turned down the offer, since as owner, I was accountable for its sale only to myself.

SUBDIVISIONS

In the matter of subdivisions, the manager of the property should again

have in mind and so advise his client of conforming to a logical expansion of building area. Communication with other parts of the city, conforming street line, desirable grades, quality of streets, walks, and sewer improvements, and a reasonable regard for future recreational needs should be carefully planned and insisted on. I am thinking not of the speculator, but of the home buyers who constitute the the great majority of the purchasers and who should be given such value as will establish confidence in home ownership. Every subdivider should also be concerned in harmonizing the new section with future needs of the greater city thereby reducing the city's cost, and this means property owners' cost, of physical needs, to the minimum. This is expressed in lower taxes and reduced bond issues for the future.

LONDON'S METROPOLITAN GOVERNMENT CONCLUSIONS AND RECOMMENDATIONS OF THE ROYAL COMMISSION

BY JOSEPH A. COHEN

Bureau of Municipal Research, Harvard University

Concluding installment of the article begun in the August REVIEW

II. PROPOSALS LAID BEFORE THE COMMISSION (continuation)

ADMINISTRATION

THE majority¹ of the commission, however, found themselves compelled to decide that the "evidence submitted does not convince us that any greater

efficiency or economy in the administration of local government services in London and the surrounding districts would be attained by any alteration of the existing system on the lines pro-

¹The majority report was signed by only four members of the Commission: Viscount Ullswater (Chairman). Sir Horace Cecil Monro, Sir Albert Gray, and Mr. Edmund R. Turton.

Sir Richard Vassar-Smith and Mr. Neville Chamberlain resigned before the Commission completed its labors. There were two minority reports, one by Mr. Ernest H. Hiley and Mr. George J. Talbot, and one by Mr. Robert Donald and Mr. Stephen Walsh.

posed by the London County Council, or suggested by other witnesses."

A very brief résumé of their conclusions as to the difficulties of administration which were the basis of the council's proposals is: (1) that the difficulties for the most part do not differ in kind or degree from those arising in other parts of the country between contiguous authorities, and are capable of settlement by existing methods of conference and arbitration; (2) that the council have failed to prove any shortcomings in the administration of the outside districts such as would be remedied by inclusion in London; and (3) that, in so far as centralization of certain services is necessary, the area over which such services should be centralized must extend far beyond the limits within which the proposed central authority could efficiently operate.

Although all three judgments apply more or less generally to most of the services under observation, it appears from a study of the findings of the commission in relation to particular services that the first judgment covers especially allotments and small holdings, wholesale markets, fire protection, public health, education, and main drainage; the second, parks and open spaces, building acts, housing, and town planning; the third, transport, which may also be placed with those to which the second judgment applies. Too much emphasis, however, should not be attached to this rigid classification.

The majority report, then, failed to recommend the extension of the dual system of government to the districts surrounding London. But it did recommend the establishment by statute of a London and Home Counties Advisory Committee to advise the appropriate minister responsible to parliament in the administration of the

interallied services of transport, town planning, housing, and main drainage.

It was suggested that the committee consist of not more than twenty-one members representing the local authorities and others concerned, such as the police authorities, transport undertakings, transport users, and labor organizations affected, in the area of the London and Home Counties Electricity District, which includes London and the country within a radius of about twenty-five miles from its center.

The effect of carrying into execution the recommendation of the commission on the transport situation until then obtaining in London would be to attach statutory character to the work of a previously existing technical advisory body connected with the ministry of transport, a body which, although purely voluntary and relying merely on the goodwill of the authorities and interests concerned, had proved very helpful. The functions recommended to be included among those assigned to the committee are: "(a) action in regard to Parliamentary and subordinate legislation; (b) action in regard to the fixing of building or frontage lines on roads; (c) all that may be comprised by the expressions 'co-ordination in the public interest of all passenger transport agencies,' and 'the application of remedies in respect of all factors impeding street locomotion,' and 'scientific research work in relation to the problems of transport and traffic'; (d) the apportionment of the cost of improvement schemes or other projects affecting the areas of several local authorities between those authorities; (e) the prescription of routes to be followed by particular classes of traffic; and (f) action in the sphere in which transport and town planning problems are inseparably connected."

The majority report also recommended that there should be added to

the duties of the advisory committee "in relation to the question of transport facilities . . . [the duty of assisting] . . . the departments concerned in examining the various town planning schemes proposed within their areas and seeing that they harmonized," and "the duty of advising the minister upon the equitable allocation of working-class houses proposed to be erected by local authorities between the areas of authorities within the purview of the Committee," and "the duty of advising the minister upon the admission of sewage from the area of a local authority into the existing main drainage system of another authority, the combination of existing main drainage systems, and the equitable adjustment of the resulting charges."

EQUALIZATION OF BURDENS

As to the equalization of rates, the summary of recommendations and conclusions in the majority report contains this:

"The existing administrative system in London, though it includes measures of equalization of rates, leaves wide differences in the amount of rates payable by ratepayers in the various metropolitan boroughs. In the remainder of Greater London, where there is no substantial measure of equalization, the differences are even more marked.

"The existing inequalities in the distribution of local burdens are unjustifiable and should be reduced.

"Districts surrounding London which are closely united with London by business ties should become partners with London in the new measures of equalization required.

"A statutory scheme for the further equalization of rates should be applied over an equalization area including the administrative county of London and the 55 urban areas wholly or

partly within ten miles from Charing Cross.

"An Equalization Fund should be established consisting of:

- (a) The produce of a rate of 1 s. 6 d. in the £ per annum levied uniformly over the equalized area, to be known as the equalization rate (general); and
- (b) The produce of a rate of 1 s. in the £ per annum levied uniformly over the equalization area, to be known as the equalization rate (poor).

"So much of the fund as is the produce of the equalization rate (general) . . . should be distributed among the local government units included in the equalization area in proportion to the day population of each unit.

"So much of the fund as is the produce of the equalization rate (poor) . . . should be distributed among the parishes included in the equalization area:

- (a) as to one-third, in relation to the night population of the included unions or parts of unions;
- (b) as to two-thirds, in relation to the numbers of the night population of the included unions or parts of unions living in overcrowded conditions, that is, more than two persons to a room.

"The equalization scheme would replace existing measures of equalization in London. . . .

"A uniform system of valuation should be in operation throughout the area before the equalization scheme is brought into force.

"The scheme is founded in principle on the widely accepted doctrine of the community of interest between the inhabitants inside and outside London," and "distributes burdens and

benefits among all districts which can fairly be said to compose the community of London in the widest sense.

"The scheme diminishes the existing inequalities in the pressure of rates," it "assists the provision of services for the benefit of the whole population who work inside London and sleep in surrounding districts," and it "gives special assistance to those districts in which the cost of the poor law is most burdensome.

"The scheme offers no inducement to inflate expenditure, since it does not provide for payments which vary with expenditure or for grants to meet the cost of particular services"; it "does not involve any examination of, or controversy upon, the expenditure of local authorities"; it "can be rapidly and easily worked out from figures already collected for other purposes"; its working "does not involve the creation of any new central or local authority or post."

The subscribers to the majority report also declare that the "equalization rates which we have recommended therefore represent roughly half of what would have to be raised over the whole area to meet the total expenditure . . . on poor law services and on the main local government services (excluding those of merely local concern and those in respect of which exchequer grants of 50 per cent or upwards of the expenditure are made.)"¹

CONSIDERATIONS AFFECTING THE DECISION OF THE COMMISSION

The main considerations, apart from their findings in relation to individual services, which impelled the majority to their decision seem to be: (1) their

estimate of the importance of historical conditions, of the "sense of separate corporate existence and civic responsibility" some local areas within the London district have possessed for such a long time; (2) their fear that the present friction between the boroughs' councils and the county council within London as to the apportionment of powers between them and the mutual distrust might be experienced in a greater degree if the area of centralization should be enlarged; (3) their judgment that the present local governing bodies are highly efficient as they are and that increasing the centralization would have unwelcome but certain results in the form of advanced cost of administration per head of population; (4) their appreciation of the strenuous opposition presented by the other authorities concerned to the proposals of the London County Council and any others like it.

The last consideration seems to have been of especial weight in influencing the commission. For but with one exception, the proposals of the London County Council received the approbation of no local authority concerned. The extent to which local authorities in England look upon their neighbors as alien bodies is very often difficult for the uninitiated to understand. They are considerably overgiven to a legalistic attitude and very often lose sight of wider interests in their desire to extract to the full by a rigorous interpretation of statutory provisions all privileges and the most advanced status granted them at any time in the past. The causes of the conflict, however, appear to be as much financial as sentimental; rating bodies are intensely interested in the effect of proposed readjustments on the burdens they are compelled to shoulder.

It is therefore not strange that we find one of the mainsprings of the al-

¹ *Report*, p. 110. The scheme of the commission, if carried into effect, would burden most (by 1 s. 8 d.) the rates of the borough of Westminster and relieve most (by 3 s. 3 d.) the rates of Bethnal Green. (*Report*, p. 125).

most universal opposition called forth among the local authorities by the County Council and similar schemes to be of a financial character. Rate-payers are very keen to resent any increases in local charges that might follow from changes in boundaries. Such changes may produce that result by separating from a local government unit those portions of its area which contain the high ratable values, or uniting it with another administrative unit subject to greater financial burdens and a larger expenditure. The commission has to say, in respect to the local authorities, "It was to be expected that their attitude towards the proposals would be largely influenced by their anticipated effect on their rates; that those who foresaw an increase of rates would resist, while those who expected relief would favor, the Council's scheme. We found, however, that the objections were not wholly, nor, except in one or two cases, mainly, based upon these considerations, and that most of the authorities in whose areas the rates are heaviest were unwilling to fall under the jurisdiction of such a central authority as was proposed." Even the most favorably situated districts admitted the equity of further measures of equalization.

Financial objections, then, were important but not alone. Representations were made that the continuity of the history of the county areas should be undisturbed; and the county councils pointed out that the balance of their administration they had painstakingly set up would be overturned. The peculiar position of the dormitory areas was stressed, in which connection it was declared that the workers were interested in the local government area in which they lived, and not the one in which they worked. Much criticism was cast at the size of the areas contemplated by the London County

Council, opinions nevertheless differing very greatly as to how far the proposals needed correction in this respect. The smaller and more outlying authorities feared that their representatives on a new central authority would be submerged by the preponderance of representatives from Inner London, or in any case that their representation would be less complete than it is now. It was claimed that it would be seriously difficult to secure combinations of districts to form the new areas. And it was objected that a central authority over the area suggested would be incapable of proper administration, and also that an excess of power would probably find its way from the elected members to the permanent officials.

The main arguments had to do rather with the general effect of the new proposals. "It was clear that almost all the existing local authorities attached the utmost importance, first, to retaining their separate identity (subject to any amalgamations on which they and their neighbors might voluntarily agree), together with all the powers of administering local government services which they now possessed; and, secondly, to avoiding any diminution of the detailed knowledge of local conditions, and the interest in local affairs, which were now exhibited by the members of their governing bodies and by the inhabitants who elected and controlled them."

Since the report, criticism has come from certain sources on account of the procedure the commission adopted. It has been declared that they committed a fault in not looking into matters and submitting a plan on their own initiative, instead of relying so greatly on suggestions cast at them. The commission even say, "We must, however, form our conclusions upon consideration of the evidence which we heard, and not

upon any assumption in regard to evidence which might have been placed before us." And the phraseology of their conclusions indicates that they abided by that principle with some degree of consistency; we find frequently such expressions as "the evidence submitted does not convince us," "no evidence has been adduced," "the weight of evidence is against the view," etc., etc.

Another feature of their procedure that handicapped the commission was that as a result of their natural decision to invite the evidence first of the London County Council, the succeeding authorities and other witnesses became quite generally subject to a tendency to confine their testimony to a criticism of the defects in the council's plan without offering more material aid towards the solution of the problems. The commission declared the unfortunate consequence to be that, because the London County Council did not themselves attempt to condemn particular operations of local government bodies outside London, not sufficient illumination was thrown upon actual or possible lapses from efficiency and economy in those areas.

THE MINORITY REPORTS

Of the two minority reports, the one signed by Mr. Hiley and Mr. Talbot, while admitting that it would have been justifiable for the commission to have stated that they had found it impossible to present a plan for reform because of the course the inquiry had taken, refused to agree that reform was either undesirable or impracticable.

Their solution of the problem took the form of a suggestion that the dual system of government should be extended to all settlements within ten miles of the center of London; and that the local authorities should have a status approximating to that of a

county borough, should embrace districts of varying sizes if necessary, and should manage all services except such as can best be administered by a central authority, water supply, tramways, main drainage to be included among them. Further equalization of local burdens could be effected by pooling the minimum of expenditure essential for each district and leaving each to find for itself resources for greater expenditure. The report also stressed the need of immediate action as to sewage disposal and main drainage.

A second and more lengthy report was submitted by Mr. Donald and Mr. Walsh, containing many valuable observations and constructive proposals. Declaring their interpretation of the duty of the commission to be a wider one than that adopted by the majority, they advanced a series of recommendations to the effect that a new central authority for Greater London should be erected to take over from the present authorities and *ad hoc* bodies the administration, exclusively, of the following services: transport, town planning, mental hospitals and fever hospitals, small holdings, main drainage, water supply; and the administration, partially, of the following services: housing, education, provision for the poor, fire protection, parks and open spaces, markets, public health, river conservancies, supervision of building acts, and making of by-laws. They cast aside as palliatives the schemes providing for indirectly elected bodies or mere advisory committees and insisted that the majority of the population in Greater London desired a new directly elected, central authority as they did. Any other plan bristled with practical difficulties, they claimed. Local burdens, in their view, could be further equalized best by distributing from a common fund payments in proportion to the estimated current

expenditure upon services locally administered.

They devoted considerable attention to the question of transport, and after declaring the existing system of competition to be a failure and recognizing the legal, financial, and practical difficulties attached to a policy of public ownership in London, they maintained a system of co-partnership between the companies and municipal undertakings to be the one best calculated to secure the necessary co-operation.

ACTION UPON THE REPORT

There are two directions in which it is being hoped at the present moment that the position in London will change for the better.

In regard to the supply of electricity, negotiations are under way, the commencement of which antedate the Report of the Royal Commission. Since 1913, the London County Council have been very earnestly encouraging the promotion of some agreement whereby the 43 municipal and 42 company undertakings in the London and Home Counties Electricity District might be worked in conjunction. At present, the proceedings, which are voluntary in character, are in the hands of the electricity commissioners for Great Britain. It is being attempted to arrive at an understanding and to secure the passage of certain legislation at present impending, which will have for their effect the setting up of a joint electricity authority to represent all the undertakings in the district.

"The heads of the settlement broadly provided that, subject to the establishment of a joint electricity authority for the district, and to a satisfactory sliding scale of prices and dividends being agreed, the London County Council would agree to the suspension until 1971 of their powers of purchase

of the undertakings of the London Electricity Supply Companies (first arising in 1931) in return for which the companies were (i) to be empowered to amalgamate; (ii) to transfer their undertakings to the joint electricity authority at the end of the extended tenure, namely, in 1971, on certain terms and conditions; (iii) to have administrative and financial independence but to be subject to control by the joint electricity authority, with appeal to the commissioners, in regard to technical development, the disposal of surplus energy beyond that required for the united needs of the Companies, and to capital expenditure which would ultimately be repayable by the joint electricity authority."¹

In the second place, the London Traffic Act, 1924,² has been passed, based substantially on portions of the recommendations made by the Royal Commission. For the purposes of the act, the London traffic area consists of the familiar circle, approximately, of 25 mile radius about the center of London. The principal executive authority in regard to traffic throughout this area is to be the minister of transport. He is to be assisted by the London and Home Counties Traffic Advisory Committee. The committee is to have twelve ordinary members, one appointed by a secretary of state, one by the metropolitan police, one by city police, one by the minister of transport, and the rest by the local authorities within the area, acting through joint committees. Persons appointed by local authorities must be members of them. There are also to be seven additional appointees, not to form part of the advisory committee when certain questions in which they

¹ *Fourth Annual Report of the Electricity Commissioners (1923-1924)*, p. 29.

² 14 and 15 Geo. 5, Ch. 34 (Aug. 7, 1924).

are unconcerned are under consideration, to form part of the committee only at the direction of the minister of transport when certain other questions are under consideration, and to form part of the committee in their own right when the remaining questions are under consideration. Three of the seven are to be appointed by the minister of labor as representatives of the interests of labor engaged in the transport industry within the area; the other four are appointed by the minister of transport as representatives of the providers and users of means of transport services within the area.

The purpose of the committee is to give advice to the minister of transport concerning the co-ordination and improvement of transport services, the mitigation of traffic obstruction, the necessity of changes in traffic regulations, the improvement of road communication, and generally to aid the minister in the performance of his duties relating to London traffic.

Besides having under the terms of the act power to regulate traffic generally in the area, the minister can prescribe the times when the various road authorities may close the streets or otherwise obstruct traffic for the execution of street improvements. Among the most radical provisions in the act is the one which allows for the first time, limitation of the number of omnibuses to appear on the congested streets in the city and the metro-

politan police district. Further, the powers of the police authorities to regulate omnibuses plying in the city and metropolitan police district are added to very considerably, appeals from their decisions lying in the minister of transport.

Voluntary action, however, is still much relied upon for the co-ordination and extension of transport facilities. Nothing in the act, for example, is to be construed as giving power to the minister to compel a local authority to incur expenditure for the improvement of roads without the consent of the authority.

The act, being merely an experimental measure, expires in December 1928.

In the period of time that has elapsed since the appointment of the advisory committee until this writing, they have convened twice. An official report declares that the committee have been active in preparing a list of alternative routes that they suggest to traffic customarily employing crowded thoroughfares and in drawing up a list of streets on which they recommend the minister to restrict the running of omnibuses. Following the second meeting, the minister issued a notice to the effect that he was proposing to restrict the numbers of omnibuses on certain of the London streets. It is interesting to observe the degree of excitement aroused thereby in some quarters.

OUR CITY COUNCILS

V. CHICAGO'S TIME CONSUMED BY DETAILS

BY EVELYN L. BARTH

Reproducing the atmosphere and manner of working of the Chicago board of aldermen. Another article in our series on city councils.

THE Chicago city council is a good example of a political anachronism. This is not due to any lack of ability on the part of the councilmen, most of whom are able men. It does not result from an inability to understand the problems of city government. It results rather because an institution, adapted to the needs of a city of one hundred thousand population, is trying to function for a city of three million. The plain truth is that Chicago has gotten too big. It has sprawled and squirmed over many square miles and stretches along miles of lake front. Yet the city council has not been modified to meet the needs of such a colossus.

What is the main business which the council performs? It is the same business which a council in a city of three thousand performs. It carefully supervises the administration of many laws, no one of which is very important, in their application to many specific situations. The tenement law permits only one basement flat in a tenement house. Possibly, there should be exceptions to this law, exceptions which the health and building department should normally pass upon. Yet, time and again, the building and zoning committee has been called upon to consider exceptions. Each administrative detail is brought before the proper committee, and then is duly

passed upon by the entire council. Literally, the council is immersed in a labyrinth of details,—of petty orders and insignificant ordinances.

The solution to the problem would necessarily involve rigorously excluding from the business of the council any but the most important matters. Some sort of a formula must be worked out for determining when a matter is of sufficient importance to require the council's attention. It is easy enough to say that the council should pass only upon matters of general policy, affecting the entire city, and that detailed administration of these policies should be left to the departments. It is not so easy actually to carry this precept into practice. There are so many men who will benefit by a minor exception to the building code, for example, that it is difficult to prevent appeals to the ordinance making body. Yet something must be done. It might not be amiss to adopt the heroic measure of prohibiting special rules where a general one is applicable. In many ways the city of Chicago is itself a metropolitan area. It might be well to decentralize the work of the council to considerable degree. The London model of a series of subordinate councils, with power over local improvements and local building operations, might conceivably be a solution. Certainly, it deserves investigation.

THE COUNCIL IS NOT SPECTACULAR

If you visit the Chicago council, expecting to see an interesting spectacle, you will probably not have your expectation realized. In many ways it is downright commonplace. There is nothing spectacular about it; nothing romantic in its custom or procedure, nothing startling in its membership. It is a far cry from the council of the medieval city,—the council of the old city of London, for example, with its regalia, pageantry and display. There are no silver tongued orators; there are merely plain, unemotional speakers. The chamber is not nearly so pretentious as the lounge of a modern hotel. Noble city fathers have become plain ordinary business men. The heartfelt cry, *pro bono publico*, has given way to the question, how much does it cost?

The chamber itself is a room ninety-seven feet wide and sixty-one feet deep, done in English oak Renaissance style, and lighted by eight showers of lights. At the front of the room there is a raised dais at which the mayor, who presides at the meeting, sits. Directly in front is a semi-circular platform for the clerk and reporter. A few steps beneath this platform are the seats of the councilmen, arranged in three concentric semi-circles, each a little higher than the first, the floor sloping gradually to the gallery in the rear. Above the mayor's seat is a clock of gold hands and numbers and a panel of volatile shapes typifying electricity. Beginning on either side of the clock are other allegorical figures forming a border around the entire wall. If you ask the room clerk about them, he will refer you to a book in the reference library which is quite fragmentary on all details except costs. The conventional figures of Justice, Peace, Law and Order are, however, unmistakable at first glance.

If you are late at the meeting or if a raise in salary for some particular class of city officials is under discussion, you will be sent to the upper gallery. Otherwise, you can take our choice. Though the gallery seats only four hundred and the population is around three millions, you can usually find a seat. If you wish to see the aldermen, you choose the upper gallery; if you wish to hear them, the lower. In either case you look down upon a prosaic scene. Probably you move about too much and feel the cold eye of the guard upon you, but you are not impressed. An oak sign with red and gold lettering warns you if you would smoke; though the air is already clouded from the lobbies opening into the assembly, and several councilmen have entered with cigars in their mouths.

The mayor enters and takes his chair, several men clinging and speaking to him on the way to the dais. The gavel sounds, the clerk announces roll call, the secretaries carry petitions and reports of aldermen and committees to the clerk's desk. Aldermen loitering in the anterooms are summoned. Perhaps, the roll call will have to be repeated; at any rate, it will have to be corrected.

NO ORATORY

Discussion of ordinances and orders begins. There is no emotional oratory. Speakers of exceptional merit may advance arguments, but their appeals will be to reason and facts. You experience no great thrill. There is little dignified solemnity. Possibly an alderman's announcement that he had forty phone calls in an hour from citizens in favor of his proposal may give you a slight satisfaction in your importance as a voter, but that is all. After a time the cold matter-of-fact speech will become tiresome to you,—

has long been wearisome to those two aldermen in the rear who are settling down to a friendly chat. Still you may be fortunate enough to have one diversion. You notice that your neighbor in the gallery has suddenly joined the discussion. From his questions and the angry rejoinders below, you learn that he is a defeated aldermanic candidate. For a minute you are mildly interested,—then bored.

They waste little time, however, in discussions. There isn't time enough. Like the big bustling city it represents, the council has to travel fast. Bill after bill is rushed through with only one reading. Often there is no discussion whatsoever. The chairman calls for a vote, an alderman says "pass" in tones barely audible above the first gallery, the chairman's gavel descends, and without further formality another ordinance has been added to Chicago's bulky collection.

There is little wrong with the rules. Should two aldermen object, any bill must be printed for each member's consideration, but this is rarely done. The process of passing bills without a roll call and without the printing of a memorandum is known as the "omnibus." One committee is said to have had fifty-four ordinances passed in this way at a single session. Nor is this at all incomprehensible. If each ordinance had to go through a long formal procedure, not one-tenth of the detailed business could be accomplished by the council. Necessity dictates parsimony in consideration. Most of the work is done in committee. What has happened is that the council, through the necessity of economy in effort, has divided into a number of small legislatures, which give the ordinances about the only consideration they receive. The size of the governed territory, the amount of business, and the size of the council,

which contains fifty members, compel a use of the committee system. With a small committee, some care can be given to the details of proposed ordinances. With a membership of a representative character on the committees, consideration may be just as valuable. In addition, with the exclusion of an audience, discussion can be to the point and much more open. Of late this method has become almost the sole one in routine legislation. It is this fact which gives one the impression that the Chicago council is a smooth, well-ordered mechanism.

COMMITTEES ALL-POWERFUL

Committee reports are almost always passed in the "omnibus." The committee is omnipotent. There is no specified date for reports on bills. It takes a majority of the council to compel a report. Many bills are forgotten by the council, and lie in committee year after year.

Committees are selected by a committee on committees. This committee is chosen by each new council at a caucus, and it is composed of five members. After the committee has been selected, it retires to Florida to select the members and chairman of the sixteen standing committees. Their slate is invariably adopted by the council at its first meeting. A late departure is the disregard of proportional representation on the committee on committees. Though at this moment the Republicans have twelve men in the council, they have no representative on the committee, and no chairmen of important committees.

The procedure in the council is not at all unique. The roll is called, the journal read, the committees heard in the way that these formalities are usually gone through. Debate is limited to five minutes for each alderman, and each may have only one turn

until every one has spoken. The rule providing for presentation of aldermen's petitions in order of wards, alternating between the alderman from ward one and ward fifty, in the interest of fairness, is not so general. Meetings begin at the place of business reached in the previous meeting unless the council, by a vote of two-thirds, favors a different place.

THE MAYOR'S SPHERE

The mayor's position, theoretically, is of little importance. He presides at meetings. He appoints executive chiefs, but with the confirmation of the council. His veto may be overruled by a two-thirds majority. He may introduce measures only as an ordinary citizen by petition to the clerk. Practically, his sphere of power is much greater. His appointive power gives him great patronage. Though local elections are non-partisan, the issue is frequently for or against the mayor. If the council is with him, he can influence the council as he pleases. His veto as a means of attracting public attention to unwise proposals is no inconsiderable weapon.

State law, revised in 1919, gives the council ninety-eight powers. These cover the usual powers exercised by a city council. Some of them are merely amplifications of other powers and could be left out. However, the judicial rule, which interprets municipal grants of power in accordance with the letter rather than the spirit, has caused the Chicagoans to desire that every power be stated as specifically as possible. In addition, the constant struggle between the council and the legislature has given the council the attitude of the fearful widow who said "Let it be writ" in any business venture.

The relation between the state legislature and council can only be compared

to a pitched battle. The legislature can veto anything the council suggests. The council can veto any intervention by the legislature. To the people from downstate, Chicago appears as a Santa Claus from whom they are continuously striving to obtain taxes. Sometimes an increase in assessed value for state taxes is secured, and the flow from Chicago to the treasurer's office is materially increased. At present an effort is being made to decrease the Chicago membership in the legislature forty per cent, thus weakening Chicago's ability to object. Accordingly, the council must be always on the *qui vive* in its struggle against the remainder of the state. A recent example was the bill to grant indeterminate permits to public utilities within municipalities. Chicago representatives successfully opposed this restriction upon home rule, supporting their stand by one of the aforementioned ninety-eight powers.

Occasionally state legislation, though infringing upon home rule, is beneficial. Such an instance was the state zoning act, which the council opposed, but which has given untold benefits to Chicago. Nevertheless, there is little doubt that state and county intervention are a nuisance and cause great waste in wealth and energy.

CALIBRE OF MEMBERS

In point of education and political experience, no charges can be brought against the council. Of the fifty, twelve are lawyers and several are college graduates. Several have held political positions previously. One was formerly chief investigator in the state attorney's office; another, assistant attorney general of Illinois; still another was assistant comptroller of Cook county preserves. Over three-fourths have served in the council before. The veteran is serving his thirty-

fourth year. A close second has thirty-two to his credit. Many have had experience as officers in local organizations. Among the non-legal constituents are two insurance agents, a grocer, a florist, two salesmen, a soft drinks proprietor, a cartage contractor, an investigator, six real estate men, two undertakers, a conductor, a shoe merchant, a coal dealer, several owners of manufacturing establishments, and a president of a middle sized bank. Thus, a great many industrial interests are represented. Education and political experience have produced several leaders; yet several of the most enterprising have come from the less educated group. The variety of interests in the council is multiplied in the interests of the constituents. Capital and Labor exert their pressures. Various local organizations which have compromised on candidates demand consideration. Hundreds of organizations demand attention; hence, lobbying and investigation. Of some aldermen it is said that their sun rises and sets in investigation. Investigation is expensive and

timetaking. Members are frequently accused of violating the *summum bonum* for private advancement.

No panacea can be offered for this situation. Yet several improvements might be made. At present, nothing except a majority can force a committee report on proposed legislation. Only a two-thirds majority can bring back a bill for reconsideration. Compulsory report on bills would remind members of proposed legislation. Passage in the "omnibus" should be made more difficult; the committee chairmen should be compelled to explain the meaning of bills. The law permitting the passage of a measure upon reading should be abolished. Speed is desirable, but the way must be clear before starting. Consideration of consequences should be deliberate. The state law providing for the stoppage of acts in the "omnibus" should be brought to the attention of the council. Knowledge of parliamentary law by all aldermanic candidates would make up for any time lost because of the foregoing changes.

FOUR YEARS UNDER THE OHIO REORGANIZATION CODE

BY JAMES K. POLLOCK, JR.

The following article is the result of a careful survey by an impartial student, unembarrassed by previous opinions on the much discussed administrative consolidation.

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ENOUGH time seems to have elapsed to bring forth some observations on the workings of the Ohio Reorganization Code of 1921. In one sense the time is opportune for such a survey, for both Republican and Democratic administrations have operated under it. It can be called a Republican measure

but it is now in the hands of Democratic officials. It is natural that the present officeholders should not hesitate to point out what is wrong with it while at the same time indicating how their administrations have been benefited by it.

In another sense, the time is not op-

portune for such a survey. The code has been more or less the football of politics. There is still a feeling in some quarters that it was politics and nothing else that prompted its enactment, and too frequently a person's opinions are colored by his politics. And again, it must be said in all frankness that the last two administrations, one Republican and one Democratic, can hardly be taken as fair samples. In other words, the code has scarcely had a fair chance. Mr. Davis had only a year and a half in which to get started before the end of his term, and the political controversy in which the matter was involved prevented many accomplishments in the short time. The present governor, although approving of the idea underlying the code, is lukewarm to it, and has failed to take advantage of the possibilities of further co-ordinating the state government under the code without legislation, because he has very little interest in the constructive solution of governmental problems. Under these conditions and with these handicaps the writer has prepared the following survey.

VARIETY OF OPINIONS ON DETAILS

Considerable light can and should be thrown on the workings of the Ohio government under the reorganization of 1921. The movement for administrative reorganization is going on apace throughout the country and whatever experience is available should be utilized. The Ohio reorganization, although statutory and not affecting the constitutional arrangements, may be taken as a fair example of what can reasonably be expected in other states that contemplate such reorganizations. Perhaps it might be better to say that other states may reasonably expect to achieve at least as much as Ohio has achieved under its reorganization.

There is a great variety of opinion regarding the details of the reorganization. Scarcely anyone will claim that the code as it stands, needs no change. Most informed persons have been able to learn after four years of experience, that certain provisions of the code are wrong and should be altered. But on the other hand, there is unanimity of opinion to the effect that the general results of the reorganization have been good. Most competent observers who have served under the code or who have been in positions where they could follow its workings, agree that the present directorship principle is sound, and that the close supervision over the whole administration resulting from centralization and co-ordination of responsibility, has had good effect. Both governors have approved the general idea underlying the code and the great majority of their directors agree. But it has not been an unmitigated success and it gives opportunity for particular although not for sweeping criticism.

A closer survey of a number of executive departments will serve to bring out the defects as well as the good points of the reorganization. One general criticism which has been directed at the reorganization of several departments, especially the departments of public welfare, health, highways, agriculture and education, is that there cannot be the necessary continuity of policy as long as the departments are run on the principle that each governor has the right to choose his own directors. The various non-partisan organizations such as the Farm Bureau Federation, the Ohio Public Health Association, the Ohio Good Roads Federation and certain charitable organizations all base their criticisms of the reorganization code upon this one arrangement which makes the head of each department a political head. They feel that better

directors will be chosen and a more continuous and effective policy will be had if the power to appoint the director of the department is vested in some large unsalaried board whose members have over-lapping terms. This, they feel, will remove the work of the department from politics and insure more efficient administration. Several of the directors of these particular departments have joined in with this criticism, and since it constitutes the most important objection to the present arrangement, it deserves consideration.

ADMINISTRATION NOT POLLUTED BY POLITICS

There has been a great amount of talk about taking this department and that department out of politics. The assumption is that the particular department is managed on a partisan basis; that politics is interfering with the technical work of the department and thus lowering its efficiency. But upon examination of the departments whose work is largely technical or whose work should be farthest removed from any connection with partisan politics in the bad sense, namely, such departments as health, education and welfare, it is difficult if not impossible to find where the administration has been polluted with politics. According to the opponents of the present directorship arrangement, the frequency of change in the headship of the department interrupts policy and results in changing personnel. If policy were interrupted and if there were shake-ups in personnel, then the objections would be well grounded. But such does not seem to have been the case during the past four years. In the health department for instance, there have been two different directors, one a Republican and one a Democrat. Neither director was very widely known for his

ability in public health matters before he was appointed, but neither director has been guilty of making a single political change in the personnel of that department. Both have been content to follow the policies laid down previously and to drift with the department. Due to their inexperience and shortness of tenure they have not been able to make many positive contributions, but they have in no sense played politics, and the department has not suffered from their incumbencies. There being no politics in the department, why is it necessary to remove the department from politics?

The criticism of politics in administration is not therefore well founded. Of course it is quite clear that the short term of the governor prevents the director of a particular department from becoming thoroughly acquainted with the work of his department so that he can make positive contributions for its improvement. But the legislature has presented to the people for their approval in November a constitutional amendment which would extend the term of the governor to four years. If this amendment passes, the greatest objection to the code will have disappeared, because with a director in office for four years, possibly eight, he would be enabled to become as well acquainted with the work of his department as can reasonably be expected. It is very clear that the short term of the governor in Ohio has prevented many improvements that otherwise would have come with the code. The most serious obstacle to the efficient working of the code has been this short term, and if a four year term is adopted by the people of Ohio in November, 1925, most of the wind will be taken out of the sails of those organizations which now claim that the political directorship principle is bad because it does not permit of continuity of policy.

DEPARTMENT OF PUBLIC WELFARE

In the department of public welfare there has been no serious charge of politics in administration. With slightly over 99 per cent of the 3,000 employees of this department serving under civil service regulations, there can hardly be much politics in personnel matters, and with the control of purchasing in the hands of the superintendent of purchases and printing, it cannot be said truthfully that politics is affecting the purchase of supplies through the director of public welfare. Everything has not been well with the department. A number of intelligent persons have criticised the present arrangements, especially as these arrangements affect state charities. The present director of public welfare in his annual report recommended the restoration of the old board of administration, a bi-partisan board of four members with over-lapping terms, because he felt "that the work and scope of this department is too large to be efficiently and successfully operated by one man, and that it is a physical impossibility for one man to do what should be done." The first director under the code did not think this way. The present director has not appointed an advisory board such as the code permits, while the first director did appoint such a board. Perhaps this partly accounts for the difference of opinion between the two. Other persons feel that where one man is charged with so much responsibility over so many state institutions there is too much chance for politics. Such persons apparently feel that "two heads are better than one even if one is a cabbage head." Despite all these criticisms it appears to the writer that the present organization of the department is such as to encourage efficiency and has actually produced good results. It is possible that greater power over

purchases should be given to the department, practically every person connected with the department agreeing with this. But further changes such as the restoration of the old board of administration and the old state board of charities, do not seem warranted by the experience of the past four years. There probably should be some advisory board such as the code permits, with power of review and suggestion, but not with executive authority, to function through the years and advise new directors as they come with each succeeding administration.

HIGHWAYS AND PUBLIC WORKS

The department of highways and public works presents a more difficult problem. This department disburses more money than any other department in the state. In the fiscal year 1924, \$21,000,000 was expended by the department on maintenance and new construction. There are probably more opportunities for irregularity in the work of this department than in any other department in the state government, and there should be the strongest insurance against graft and profiteering. With regard to this department it has been suggested by non-partisan organizations interested in good roads as well as by the present director, that the head of the department should not be under the control of the governor but should be appointed and controlled by a board of non-partisan members with overlapping terms. This suggestion comes from the belief that politics could be largely eliminated from road building if the governor did not have the power to interfere with the work of the department.

There is no doubt about executive interference with the highway department under the existing system. The governor actually influences the appointment of engineers and inspectors,

and he even tries to dictate the type of road to be constructed and other technical matters. Thus there is politics in the highway department and politics of the worst kind. This condition exists despite the desires of the highway director who is an engineer and not a politician. The powerful political influence that can be exerted through the control of the highway administration, under present conditions at least, seems to be too tempting for governors to avoid. The result is waste, inefficiency, and petty politics. Since highway positions are not under civil service regulations there is no check similar to the check on the personnel of the department of public welfare for instance, which would tend to eliminate the spoils system.

Some people hope that with the right kind of governor, such playing of politics in highway matters will cease. Others feel that until the director of highways is taken out of the control of the governor, politics and highways will continue to mix. In any event, the code as it has affected highway administration has not been successful, and there is a general consensus of opinion to this effect. Perhaps conditions have not been worse than formerly, but at least there has not been any improvement.

Criticism of the department of agriculture seems to be without much foundation. Both directors under the code are unstinted in their praise of the department as at present organized, and they feel that a distinct improvement has been brought about. It would be difficult to find a better organized department of agriculture than the state of Ohio possesses. The question as to the ability of the personnel is another matter which will be considered later, but even in this respect, it is clear that there has been increased efficiency with a consequent

saving of money since the code went into effect. The first director under the code, a man who later became head of the National Grange, estimated the savings in his department to be in excess of \$150,000 per year. The code provision concerning the agricultural experiment station has eliminated much friction and duplication. It is possible that the state board of agriculture should have more power and should be a more permanent body with power of review and suggestion, but not with executive authority.

EDUCATION

The method of choosing the director of education meets with the opposition of the Ohio Teachers' Association. This organization suggests that a better educational system will result if the director of the department is chosen by a board selected by the governor without regard to politics. Great care should certainly be exercised in the appointment of a director of education, but since this office is a constitutional office in Ohio, the incumbent is in office for four years and a new man is not appointed by every governor. There are no indications that the director of education is prostituting his office to partisan politics, and the Ohio Teachers' Association is careful to say that no criticism of the present director is intended. Only as a matter of principle they feel that a better director and a better educational policy will result from the choice of a director by a method different than the present one. But such a change would disrupt the existing unity in state administration and does not seem to be demanded by present conditions.

Thus in the case of only one department, namely, highways, does it seem necessary to make any change in the method of selection of the director, a change which amounts to a more seri-

ous limitation upon executive responsibility and control than exists at present. The combination of a political head with expert under-personnel seems to have been satisfactory and a change to commission controlled directors in the other departments does not seem desirable.

It is natural to find these non-partisan organizations desiring a different method of selecting the director. Under existing arrangements, they will probably be consulted as to the choice of the director of the department in which they are particularly interested, but they will not have as much influence over the selection of such director as they would have if a board selected a director. It seems better to have the centralized responsibility resulting from the governor controlling the heads of departments, provided his term is long enough, than it would be to have such departments controlled, at least very strongly influenced, by non-governmental organizations. Have we not enough of this kind of influence already?

NO UNUSUAL CHANGES IN PERSONNEL

In the matter of personnel, the code has had little effect. The changes in personnel have been almost the same under the code as formerly, but it is possible that the entire system has been stabilized more firmly. In several departments there have been no changes worth mentioning. In several important bureaus, there have been no changes even though there have been administrations by two different parties. The division of banks is a good illustration of this. In 1921 the Ohio Bankers' Association opposed the adoption of the code partly because it feared the shortness of the term of the superintendent of banks as proposed would disrupt the good organization and

efficiency which then existed. Under two different governors of opposite politics, however, the same man has held the office of superintendent of banks. This continuity in office has been exactly what the Bankers' Association desired, and hence they have no complaint.

There has not been any reduction in the number of state employees under the code nor has there been any noticeable increase. Here and there one can discover unnecessary positions. For instance it is sometimes suggested that the office of director of industrial relations is perfectly useless and entirely unnecessary, and might well be abolished. Certainly the work now performed by this director—very small in amount—might be taken care of by the industrial commission with as good results, and there would be one less highly paid position.

If the director of finance should carry out all the work laid out for him in the code, he would be kept busy. But under present conditions, there is not a little duplication of work as between the auditor of state and the director of finance, and the latter has not attempted under either administration to carry out his powers to the full. Of course both the offices of director of finance and director of industrial relations were created to bring about centralized control in the hands of the governor. In the case of the department of finance this reason is sufficient to justify the creation of the position of director of finance, but in the case of the director of industrial relations the reason is not valid. If the industrial commission should be abolished and the work now performed by the commission should be given to the director of industrial relations, the position would not be a useless one. But with both the commission and the director in existence, the latter has what would be

called in common parlance "a nice job."

NO IMPROVEMENT IN ABILITY OF
PERSONNEL

There has been no appreciable improvement in the ability of the personnel of the state government under the code. In fact, speaking generally, and of course there are notable exceptions to this, it appears as if there has been a considerable lowering in the type of administrative talent brought into the service of the state. This fact gives justification to the statement that under a poor governor, the code is probably not as good as the old form of administrative organization. This statement is likely true as regards the ability of the personnel, even though it does not seem to be true as regards the general efficiency of the government, which has felt the quickening touch of better supervisory control.

The manner in which the reorganization affected the three important state commissions, namely, the tax commission, the public utilities commission and the industrial commission, has been distinctly bad. It is the almost unanimous opinion of the members of all these commissions, that the provisions of the code which placed them under the departments of finance, commerce, and industrial relations respectively, has resulted in lowering the morale and efficiency of the commissions. Such a result is quite natural when one realizes that the power to hire and discharge the employees of the commissions is not lodged with the commissions but rather is lodged with the directors of the three departments. Can one reasonably expect employees who owe their positions to a director to pay as much attention to the desires of the commission as they do to the desires of the man who appointed them? The mistake of the code provisions

which placed these three commissions under the three directors "for administrative purposes" has been appreciated very generally, with the result that in the last legislature three bills were introduced which would have restored to the three commissions mentioned the control of their own employees. The bill applying to the tax commission was passed by the legislature, vetoed by the governor, but passed over the governor's veto by the legislature before it recessed. Another bill referring to the public utilities commission was passed by the legislature but vetoed by the governor, and the legislature by recessing has not been able to pass this bill over the veto of the governor. If the legislature should reconvene, it seems certain that it will pass the bill over the veto. The third bill relating to the industrial commission was not acted upon by the legislature. Thus it is seen that the Republican majority in the legislature realizes the objection to the present arrangements affecting these commissions, and it will likely be only a matter of time until there is an improvement in the form of a return to the conditions which existed prior to the reorganization. The code permitted the governor to designate employees and place them under the direct authority of any of the three commissions. But since neither governor has used this power, the legislators felt constrained to take the action described above. Incidentally there was a good deal of politics motivating their actions.

CENTRAL PURCHASE A SUCCESS

The part of the code which brought about a consolidation of the purchasing agencies of the state under one officer, the superintendent of purchases and printing, has unmistakably been an improvement over the old arrangement. In the matter of printing and in the

purchase of paper there has been a great saving. In the fiscal year ending June 30, 1921, a year before the centralization of purchasing took place, the state paid out the sum of \$208,338 for printing and \$151,681 for paper. For the next fiscal year, ending June 30, 1926, the legislature has appropriated for printing the sum of \$205,620 while the sum appropriated for paper amounted to \$86,335. A saving of \$65,000 a year in these two items is good proof of how the system is working. The superintendent of purchases and printing is able to buy in very large quantities and at prices lower than wholesale, and these two factors together with the centralized supervision over the letting of contracts lead to the saving mentioned. Even though centralized purchasing has been in effect for a comparatively short time, the various departments have come to learn about how much it will cost to do their printing for a year, and the sums appropriated by the last legislature for printing and paper show that for the next biennium the state will save a considerable sum of money over what it formerly spent prior to the reorganization.

Aside from printing and the purchase of paper, there are indications pointing to an improved system of purchasing the other supplies for the state, principally for the state institutions. Persons connected with the department of public welfare dissent from this, and there was considerable sentiment in the last legislature to restore to the department of public welfare the power to control its own purchases, and also the power to control the planning and erection of its own buildings, a power which is now held by the state architect under the department of highways and public works. A bill which would have done just this was passed by the house but failed in the senate. Since

the purchase of most of the supplies for the state are made for the state's charitable, penal and correctional institutions, it is natural that the employees of the public welfare department should not be satisfied with an arrangement which gives to an outside officer the control over the purchase of such items as butter, flour, coal, clothing, etc. Formerly there was a much looser system for the purchase of supplies by each institution under the general supervision of an official under the board of administration. Under this former system there was a good deal of local favoritism without much regard to prices, and it seems clear that a considerable amount of this favoritism as well as a considerable amount of leakage has been eliminated by the present centralized system.

CONTINUITY IN PURCHASING OFFICE DESIRABLE

On the other hand there is no doubt about the difficulty of the task of buying for the state institutions. Undoubtedly it takes many years to learn the job. So few years have elapsed that one cannot expect full results until there is more continuity in the office of the superintendent of purchases and printing. In four years there have been three different superintendents, the present holder of the position having been in office for over two years. The first superintendent of purchases and printing started out very inauspiciously and many persons have never been able to become reconciled to the arrangement even since that time, despite the fact that it can be demonstrated that large sums of money have been saved during the last fiscal year. The report of the auditor of state for 1924 says that "due to this fact (the reorganization) and the manner in which the department is operated as to purchasing on speci-

fications and under strictly competitive bidding, it was possible, despite the increased population in the state institutions, to operate on less money than last year, meaning an enormous saving."

The strongest criticism of the present centralized purchasing arrangement is directed at the shortness of the term of the superintendent. The first director of finance who is the superior of the superintendent of purchases and printing, recommended "for the good of the service that the superintendent of purchases and printing should come within the classified civil service, an arrangement which would assure longer tenure in office and in consequence the superintendent would be more efficient and conversant with the affairs of the purchasing department and all other departments and institutions of the state."

THE POLITICAL CABINET

One of the points stressed by the proponents of the reorganization at the time of its enactment was the improvement that would be brought about by the adoption of a system which would permit the governor to surround himself with a group of men, a cabinet, which could be summoned from time to time to deliberate about the business of the state, just as the president of the United States has a cabinet which he summons for deliberation on national policies. It is interesting to find how this cabinet idea has worked under the two governors who have had the opportunity of using it. Under the administration of Governor Davis there were weekly, occasionally semi-weekly meetings, of the eight department directors with the chief executive in the governor's office. The governor's problems and the problems of the various departments were discussed, with the result that the governor was kept in close touch with all

the state activities, and the different departments were afforded a closer co-operation and acquaintance with each other and in certain cases a dovetailing of the work among them. It is the testimony of those who worked under this arrangement that a considerable amount of friction and misunderstanding was eliminated by the closer touch afforded by the system. Thus under the first governor since the reorganization, the cabinet idea worked and worked well.

Under Governor Donahey with the exception of a few organization meetings at the beginning of his administration, there have been no cabinet meetings, the governor preferring to call in the different directors separately to talk over the work of the state government. His reason for not calling cabinet meetings is that nothing could be accomplished through such meetings which could not be accomplished through individual interviews with the directors. He also believes that state activities can be co-ordinated quite as well without cabinet meetings as with them. Hence he has not used the cabinet idea.

CHANGES AND AMENDMENTS

With the exception of the one change previously mentioned, namely, the change which restored to the tax commission the control of its own employees, there has been but one change made since 1921. This change relates to the question of pardons and paroles. In the reorganization, the board of clemency was abolished and the board of pardon and parole was created. In 1923 the board of pardon and parole was abolished and the board of clemency restored. This change was a good one, because under the board of pardon and parole two of the three members were already loaded down with work in the department of public welfare;

whereas under the present arrangement, the board of clemency is composed of two members who devote their whole time to its work.

Other changes in the code have been suggested and various improvements undoubtedly can be made. Governor Davis, who sponsored the code, has suggested a state inspection service to centralize inspection activities and thus avoid a large amount of duplication and expense. In the last legislature eight bills were introduced to change different provisions. Three referred to the department of public welfare, two referred to the public utilities commission, one to the tax commission, one to the industrial commission, and one to the department of health. Only one of these bills, the one referring to the tax commission, finally became law. No bill has been introduced which would repeal the whole code, and there seems to be no disposition to change certain of the basic features of the reorganization. It was generally understood in the last legislature that the code was not to be tampered with, and the lobbyists for the various non-partisan organizations had to be content, like the Good Roads Federation for instance, with having a resolution passed to investigate highway matters in other states. It has been stated that the present Democratic governor would have repealed the code if he had had a Democratic legislature behind him. But such does not seem to be the case, for the governor and most of his directors are satisfied with the basic features of the present system, the greatest criticisms offered by them being the shortness of the term and the failure of the reorganization to touch the two constitutional offices relating to highways and education. They believe in the centralization afforded by the code but they would have greater centralization.

SOME PEOPLE SUSPICIOUS

The fact that the politicians are for the code makes some people suspicious. They feel that any system which puts control of the administration so thoroughly and completely in the hands of one man is not good. Perhaps they are right when the state has a poor governor. But under an able governor the reorganization code gives evidence of working a great improvement over the old system. Under a poor governor perhaps it is not any worse, because there are certain compensating advantages.

To summarize, it is clear from four years' experience that steps can be taken to improve the code. Many persons believe that the directors of health, public welfare and education should be appointed by non-political boards rather than by the governor because they feel that better directors would be selected if party politics did not enter into the choice. There is quite general agreement that the three important state commissions should have restored to them the control of their own employees. The administration of the highway department demands a considerable change, and the system of centralized purchasing might well be organized on a different and more efficient basis. A four-year term for the governor will go a long way toward improving administrative conditions, and a careful check-up of the whole system will disclose some duplication and several unnecessary positions.

In general, it appears that the code's basic principles are sound, but that everything has not worked out perfectly in practice. The two-year term of the governor has militated against successful operation. It is clear that the great opportunities afforded by the code have not been

utilized to the full. This has not been the fault of the code but rather the fault of those who supervise state activity. Numerous defects have been uncovered in four years, some of which have been enumerated in this paper. But when those who operate the wheels of government feel that there has been an improvement, even a financial saving which can be attributed to the reorganization, we must come to the conclusion that in its general effect the code has been valuable. The closer

supervision over the conduct of public business that has come with the reorganization, accounts for the stoppage of a great amount of leakage that existed prior to 1921. This is no small achievement, and although many ways can be suggested to improve certain details of the organization, some of which have been suggested above, this survey does not indicate that the reorganization has been a failure, but rather does indicate that it has been a qualified success.

PUBLIC LEGAL AID WORK

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There are sixty-six legal aid bureaus in as many American cities. Those operating under municipal government control are the most successful. :: :: :: :: :: :: :: :: ::

JUSTICE is usually portrayed as a blindfolded lady holding aloft a pair of scales. She has been blindfolded in all good faith. But to those who have come into close daily contact with the administration of justice in the United States there is something pitiful in her plight. She cannot see and she cannot know when her scales get out of order, yet in the average American city they are badly warped indeed. Thousands of persons are defrauded of their property, evicted from their homes, or made the victims of unscrupulous scoundrels because they do not know their legal rights or have not the money to enforce them. A recently arrived immigrant, his mind filled with the glory of this land of liberty and equality, secures work at twelve dollars a week. After a fortnight he is laid off without receiving a cent. Imagine his feelings upon

learning that the only way in which he can secure the twenty-four dollars rightfully belonging to him is to make an outlay of from fifteen to twenty-five dollars, which will secure for him judgment and execution. He might as well be asked to pay a thousand dollars.

A young man employed as a mechanic in a factory is seriously and permanently injured while at work. The employer manifests a great deal of friendly interest in the case, and gives the injured workman some light employment at his former salary. But after a short time he is dropped from the payroll without notice, and his injury prevents him from securing employment elsewhere. When he attempts to obtain satisfaction from his former employer under the workmen's compensation laws he learns to his astonishment that he cannot claim dis-

ability, since for a time he received as large a wage after his accident as he did before. How was he to know that the boss's friendly offer of continued employment was a ruse carefully planned to prevent him from receiving proper compensation?

SIXTY-SIX LEGAL AID BUREAUS

What we need most of all to-day in our administration of justice is some agency that will bridge the gap between the poor and their government, that will brush aside technicalities and make possible a square deal for all. This work is being done in part by small claims courts now being established in different sections of the country, in part by other special courts and administrative tribunals, but most of all by sixty-six legal aid bureaus found in most of the large cities of the United States and Canada. A legal aid bureau is an organization to which the poor may come and receive legal advice and assistance without money and without price. It is the poor man's lawyer, sheltering him from the inequality and injustice of the law. It may be a public bureau, organized as a branch of the city government; usually, however, it is in private hands. It limits itself to civil actions, and will not take criminal cases unless under exceptional circumstances. There is no sound reason in theory why criminal cases should not be included within the scope of the legal aid bureau's activity. The man accused of theft needs protection equally with the man defrauded of his earnings. But there are practical considerations which have brought about the present arrangement. Most of the legal aid bureaus are swamped with work and handicapped by a lack of funds. The inclusion of criminal cases would result in a volume of applications which it would be impossible for them to handle. Then, too, criminal law is a

highly specialized field requiring investigators and attorneys trained for that particular type of work. In a few cities the problem of securing adequate protection for the poor in criminal cases has been met by the establishment of the office of public defender, whose work in the criminal field is analogous to that of the legal aid bureau in civil matters.

There are two other general types of cases which most legal aid bureaus refuse to accept. These are divorce and personal injury. Divorce cases are refused by the large majority of legal aid bureaus, on the ground that it is not a proper function of a public or quasi-public organization to aid in breaking up a home. The reason for refusing personal injury cases is quite different. Legal aid bureaus feel that in fairness to the legal profession they ought not to compete with members of the bar. But any injured person, though entirely without funds, can secure the services of counsel by means of the contingent fee system; and therefore when legal aid bureaus handle this type of case they enter directly into competition with private attorneys. Some few bureaus, dissenting from this view, contend that the poor man who has been disabled ought not to be compelled to squander his compensation on attorney's fees even before he receives it; but they are in the minority.

MOVEMENT SPREADS SLOWLY

The legal aid movement had its inception in the city of New York in 1876, when a group of Americans of German birth organized a society under the formidable title of "Der Deutsche Rechtsschutz Verein" for the purpose of rendering "legal aid and assistance, gratuitously, to those of German birth, who may appear worthy thereof, but who from poverty are unable to procure it." This organization, confining

its efforts to the people of one nationality, was radically different from the modern legal aid society which serves all worthy applicants regardless of race, color or creed. Yet it marked the beginning of a movement that was to revolutionize our concept of the functions of government. In 1886 the "Protective Society for Women and Children" was formed in Chicago. Still there was no vision of universal service. That vision did not come until two years later, when the Ethical Culture Society of Chicago organized the "Bureau of Justice" for the purpose of supplying legal assistance to all persons who needed it and were unable to pay. In 1890 "Der Deutsche Rechtsschutz Verein" became "The German Legal Aid Society," dedicated to the service of the poor of every nationality.

The movement spread slowly, however. At the beginning of the present century there were only three legal aid organizations in the United States, and they were greatly handicapped by a lack of funds. The general public knew nothing about their work; the bar was suspicious and for a time inclined to be hostile. In several instances fraudulent societies sprang up, composed of shyster lawyers who made use of the words "legal aid" as a device for advertising and extending their business; and their activities tended to discredit the work of the genuine organizations. But a court order enjoining the spurious associations from using the term "legal aid" ended this danger in New York city, where it had proved most menacing. After about 1900 the establishment of legal aid societies went on apace. Fourteen had come into being by 1909, and during the next four years that number doubled. The public began to comprehend and appreciate the great work that was being done. The atti-

tude of the legal profession was transformed from suspicion into sympathetic understanding. In 1909 the Detroit Legal Aid Society was established and supported by the Bar Association of that city.

FIRST PUBLIC LEGAL AID

Prior to 1910 four different types of legal aid organizations had made their appearance, all privately financed and controlled. The private corporations were still the most numerous, but a few legal aid departments had been established as branches of organized charities. The Detroit society was the only one controlled by a bar association. An interesting experiment made in Denver in 1904 when the local law school set up a legal aid clinic presided over by one of the instructors with the senior students as his assistants proved too successful, and had to be abandoned after a few years for lack of equipment and funds. But in 1910 Kansas City, Mo., took a step which was destined to have a profound and far-reaching influence upon the whole movement. Under the inspiration of Frank P. Walsh a legal aid bureau was established as a part of the city's board of public welfare. After a month of experimenting with part-time work an attorney was selected to give his full time to the task, and supplied with assistants. This action revolutionized all previous concepts of legal aid. Formerly it had been looked upon as charity—something to be doled out to the poor like bread or meat. But in Kansas City for the first time it came to be regarded as justice rather than as almsgiving. The poor man with a just cause was given the same opportunity as the rich to enforce the rights given him by law. The state, known heretofore only as the prosecutor of wrongdoers, became also the protector of those who did well. As the Kansas

City bureau aptly declared in one of its reports: "Justice in this city has been placed on the free list with religion, education, and health."

The plan was a success from the start. At the end of the first year the Kansas City bureau ranked third among the legal aid organizations of the country, then nineteen in number. Since that time municipal legal aid bureaus have become increasingly popular, though their growth has not kept pace with that of the private societies. Of the sixty-six legal aid organizations in the United States and Canada to-day, only nine are under municipal control, while in addition a branch of the public defender's office in Los Angeles is devoted to civil cases. But these nine bureaus in 1923 handled 20 per cent of all the recorded legal aid cases, despite the fact that they were found for the most part in the smaller cities, with populations totalling but 15 per cent of the entire urban population where legal aid work was carried on. In fact, this work is done almost entirely to-day by three types of organizations—private corporations, of which there are 22, dealing with 43 per cent of all the cases; departments of regular social agencies, 24 in number, handling about 35 per cent of the work; and the municipal bureaus already mentioned. A number of law schools have imitated the early Denver pattern and set up free legal dispensaries with the students as "internes." Seven legal aid societies are financed and controlled by local bar associations, four of them having been established during 1924. But these two types combined play an almost negligible part in legal aid work.

There seems little reason to doubt that the legal aid organization of the future, the ultimate type, will be the publicly controlled municipal bureau. The transition from private to public control will without doubt be a slow

process; it will encounter more than one setback. In many communities it would be little short of disastrous to make the change at the present time. But eventually the legal aid bureau must take its place with the police department and the bureau of highways as a recognized part of the municipal organization. For the protection of the individual is properly a function of government, and that protection must be extended to the poor and ignorant as well as to their more fortunate brothers. It is of little avail to establish courts and to set up legal remedies for wrongs done only to make their use contingent upon the payment of an attorney's fee. For the poor man such courts do not exist, and such remedies are worse than useless. Free legal assistance to those unfortunates who so often need it most is not charity; it is justice. We can no more afford to leave the legal aid work of the community in private hands than we can rely upon private initiative for the establishment and maintenance of our courts.

LEGAL AID AS AMERICANIZATION

There is still another aspect of the problem which must not be overlooked. The legal aid bureau as a branch of the city's government, with its offices in the city hall, gives to the poor, and especially to the newly arrived immigrant, a better understanding of New World purposes and ideals. Instead of an instrument of oppression, the law is found to be a refuge for the oppressed. The government which refuses to let the alien settle his disputes in his own way, with knife or revolver, stands ready to guarantee him justice without the use of force. This thought has been admirably epitomized in the phrase: "Remedies as well as fines from city hall." Its importance cannot be overstressed. For the man who knows he has been defrauded and finds him-

self unable to invoke the law in his behalf inevitably loses his respect for the law. He is an incipient anarchist.

A very strong reason for placing legal aid work under public control is the greater service that can be rendered to the community. Due in part to the larger sums made available by city councils, and in part to the greater publicity resulting from their official connection, the municipal bureaus handle nearly eighteen times as many cases per 1,000 of the population as those organizations in private hands. This difference is doubtless due, at least in part, to the inclusion among the private associations of many which are scarcely functioning at all, or which have been organized so recently as to make comparison unfair. But even the oldest and most successful private organizations rank far below the public bureaus. The year after legal aid work in Philadelphia was taken over by the city the number of cases doubled. In Hartford the number soon tripled. We have already noted the experience of Kansas City, which stood third among the cities of the country in legal aid work one year after the bureau was established.

MUNICIPAL BUREAU HAS PRESTIGE

Kinship with the government gives the municipal bureau a certain prestige which sometimes proves invaluable. An order to a boarding housekeeper, a landlord, or an employer to appear and answer charges that have been made carries with it an appearance of authority. It is almost like a summons from court. The order from a private association will many times be ignored when the order from city hall will not. One has no more binding force than the other, but the reaction they produce in the minds of most men and women is quite different. Then, too, the city bureau can more readily secure the

co-operation of other departments of the municipal government. The city solicitor, the police department, the municipal courts—all these can further the work of legal aid from time to time, and their interest in another branch of the government is naturally much greater than in a private organization.

There are practical reasons, however, why the municipal bureau has not become the prevailing type of legal aid organization. Most important of all is the danger that politics will creep in and dominate or destroy the work. It is obvious that those connected with legal aid ought to be chosen on a merit basis without regard to political considerations. We do not have a Democratic method and a Republican method of dealing with the legal problems of the poor; we have only a right and a wrong way. But those in charge of the destinies of American cities have not always heeded this fact. Dallas, Texas, and Portland, Oregon, are to-day without municipal legal aid bureaus, and but inadequately served by private associations, as a result of tampering by local politicians with the affairs of the city organizations. According to impartial observers these two bureaus were doing their work thoroughly and well, and were abolished in the one instance because of the failure of the mayor to appoint a personal friend as chief attorney, and in the other because the public defender did not support the mayor in his campaign. In many other American cities public legal aid bureaus are functioning satisfactorily without regard to the politicians and their whims. But the danger is always present to a greater or less degree, and must be considered in any discussion of the relative merits of public and private legal aid organizations. The question seems to be one of expediency rather than of principle. A city which is not able to keep its regular administrative

work—street paving, police protection, and the like—clear of politics certainly ought not to embark upon new ventures. But a municipality which has been reasonably successful in keeping permanent experts in charge of departments regardless of changing administrations ought not to hesitate to add legal aid work to its functions. For legal aid is properly a public undertaking, and must remain in private hands only until American city governments demonstrate their fitness to serve fully the needs of the people.

OBJECTIONS TO MUNICIPAL BUREAUS

Two objections frequently raised to public legal aid bureaus are not of great importance. One is that a private agency is more free to determine its own policies, and can pursue its course unhampered by men in authority who know little of its work and care less. This argument is valid only to the extent that higher officials withhold their co-operation and support. But whether this advantage of the private association is real or fancied, it is more than counterbalanced by the dignity and authority a public bureau gains from its official connections. The other objection carries with it greater weight. We have already seen that most legal aid bureaus refuse personal injury cases. The private organizations keep on file a regular list of approved attorneys to whom such cases are sent. The men chosen for this purpose are members of the bar in good standing who can be depended upon not to take advantage of the helplessness and ignorance of their clients. A similar arrangement cannot be made, however, by the municipal bureaus. The accusations of partiality in selecting a few favored attorneys and rewarding them with lucrative business would be so numerous and so insistent as to destroy all possibility of real

service in the community. The public agency, therefore, finds itself in an unfortunate predicament. A worker injured in the course of his employment comes seeking advice and assistance. The bureau's attorney tells him: "We cannot take your case, because it is against our policy. But there are plenty of good lawyers who will be glad to do so, charging for their services only a moderate fee if they win, and nothing if they lose." "There are plenty of shysters, too," objects the injured man, "who will keep all the money they collect for me. I have no friends who are lawyers, and I have no way of telling the honest ones from the crooks. Will you recommend someone?" And, if the organization is under public control, the answer must be: "No, we cannot suggest anyone. You must take the chance of finding some attorney who will treat you fairly." This is a real disadvantage of the public bureau. The result is little or no protection for those who have been injured and are entitled to compensation. It may be that in time the public bureaus will regularly accept personal injury cases in order to insure justice to all.

THE PHILADELPHIA BUREAU

The best laboratory to be found anywhere for the study of public legal aid work is the city of Philadelphia, which boasts the largest public legal aid bureau in the world. This bureau handles more than 13,000 cases yearly, at a cost of \$2.12 per case. In addition to its chief, who is a lawyer, there are eleven assistant attorneys, eight of them on part time. The applicant making his first appearance at the office in city hall is referred to a young woman who learns the general nature of the complaint, and asks such questions as: "Have you a bank account? How much? Do you own real estate? What is its assessed value? Is it

mortgaged? For how much? Do you pay rent? How much? Are you married? Have you any dependents? Are you employed? What is your salary?" From the answers to these questions the attorney to whom the case is referred determines whether the applicant is properly entitled to the services of the bureau. A man earning thirty dollars a week who has a wife and several children dependent upon him may reasonably expect to receive legal assistance, whereas a man without dependents who earns a similar sum will in all probability be told to consult a private attorney. The person seeking the bureau's help is asked to sign this statement: "I hereby solemnly affirm that the above facts are true and that I am not financially able to afford to pay an attorney for legal service." If at any time during the proceedings it is found that the facts have been misrepresented, either as to the applicant's financial status or as to the nature of the case, the entire matter is at once dropped.

After the preliminary steps have been taken the person seeking aid is interviewed by one of the bureau's attorneys, and the facts brought out. Some cases are summarily dismissed because they fall within one of the proscribed groups—criminal, divorce, or personal injury. Others are refused because there is no legal remedy. A woman who has bought some furniture on the installment plan and has made several payments decides she does not wish the articles she purchased. When the merchant refuses to return her money she comes to the legal aid bureau. It sometimes takes considerable time and energy to convince such a person that the furniture dealer is within his rights, and cannot be compelled to cancel the contract. Frequently the applicant is unable to speak English. The Philadelphia bureau is prepared for

such contingencies. It has two interpreters, and there are other members of the staff who can speak foreign tongues. Twenty languages and dialects can be handled, not even forgetting the sign language of the deaf and dumb.

When all the facts of the case have been made clear, if there seems to be a real basis for a civil action the person complained of is notified to appear at city hall and give his version of the story. It is at this point that the bureau's attorney must frequently assume the rôle of a judge. The two accounts may be, and frequently are, conflicting. He must then make a snap judgment as to the honesty of each man. It is important that his judgment be accurate, because the legal aid bureau by taking a case practically guarantees its merit. The private attorney who accepts a client does not thereby commit himself to a belief in the justice of his client's cause. But the municipal bureau does, and therefore its acceptance of a case is in itself a factor of considerable weight in the minds of the average judge and jury.

CONCILIATION TRIED FIRST

Not all disputes accepted by the bureau find their way into court, however. In fact, not one in fifty gets there. Conciliation and adjustment are aimed at, rather than litigation. And if both parties are acting in good faith, as they usually are, a friendly settlement is not difficult to arrange. There are many times when the applicant is worthy and in dire need of assistance, but has no legal remedy. Such matters are not summarily dropped. In one instance a woman came to the bureau with the complaint that the landlord had raised the rent, and had ordered her family to vacate. The rent was several months in arrears, and the landlord was entirely within his legal rights. But one

of the six trained investigators employed by the Philadelphia organization looked into the case and brought to light a number of relevant facts. The husband had lost his position with a department store ten days previously, and had been unable to secure other work. For forty-eight hours there had been no food in the home, not even for the four children, one of them a nine-weeks-old baby. As if to cap the climax, a petition was being circulated in the neighborhood for the purpose of effecting the removal of the family from that vicinity.

From a strictly legalistic standpoint the duty of the legal aid bureau ended when it informed the woman that she had no legal remedy. But it did not content itself so easily. First it communicated with the bureau of constructive social service, another branch of the Philadelphia department of public welfare, and arranged to have an ample supply of food sent to the little home where it was needed so urgently. Then the investigator in charge of the case got in touch with the department store where the husband had been employed, and after explaining the situation, secured an agreement to have him reinstated immediately. The landlord was sought out, and persuaded to wait a little longer for his rent. Then the investigator went into the neighborhood and, by outlining the conditions, caused the petition to be withdrawn and destroyed. Not many of the services performed for this family could well be classed as "legal" aid. And yet they were vitally necessary—much more necessary than most lawsuits.

Though it is the practice of most legal aid organizations to make no charge for their services, about ten of the private agencies do require the payment of a small sum—a retainer fee, it is called—from each applicant for assistance, unless satisfied that he cannot advance

even the trifling amount asked. This retainer fee varies from ten to fifty cents. In addition, a few of the private societies charge a small commission on sums collected for clients. The public bureaus make no charge of any kind. Even those agencies which charge fees do so in only about one-third of their cases. They argue, however, that the principle is sound, and should be applied wherever practicable. "When we sue, we pay fees," they declare; "why should we pauperize a man because he is poor?" It is claimed, too, that the bringing of foolish charges will be discouraged.

If this contention is valid it should carry great weight with legal aid workers, who spend a considerable portion of their time listening to absurd complaints. One woman wanted to sue the city's dog pound because it had "arrested" her mongrel for "vagrancy," and demanded two dollars for his release. The statement that the law required payment of the two dollars before she could secure her dog, and that a lawsuit would be useless, failed to satisfy her, and she insisted upon taking the valuable time of the lawyer to whom she had been assigned by arguing the matter with him. Another applicant explained that his son was keeping company with a "brazen hussy," and wanted the bureau to put a stop to the courtship. "We learn to distinguish between the sane and the insane," declared one prominent attorney associated with legal aid work; "we get both kinds here." Those who favor the charging of fees also maintain that the interest of the client will be increased, and that the revenue derived from this source, while not considerable, is not to be despised. But these arguments have not had sufficient weight to induce many legal aid organizations to adopt fee systems. "Justice should be free for all," contend

the majority, "and the purpose of a legal aid bureau is to make it so. The man who is properly a client of such an agency has need for every cent he owns, and ought not to be compelled to pay for his rights. If his interest in the case is so slight that it will be increased by the payment of ten or twenty cents, then the bureau had better leave the entire matter alone."

THE MOVEMENT IS GROWING

It was not until 1911 that the legal aid societies of the United States made any attempt to get together and discuss their common problems. But in that year the representatives of thirteen agencies met in Pittsburgh, and considered the desirability of establishing a central office which would act as a clearing house for the exchange of information and for the transfer of cases from one city to another. Such an organization was created in New York the following year, and christened the National Alliance of Legal Aid Societies. But it was a weak body, deficient in funds and in leadership, and

accomplished little. It was therefore permitted to die a natural death, and its place was taken by the National Association of Legal Aid Organizations, established in Cleveland in 1923.

Each year legal aid work goes on apace. New agencies come into being; old organizations increase the scope of their activities. And there is still much room for development. There are probably twenty American cities with populations in excess of 100,000 where not even the skeleton of a legal aid society exists, and there are at least fourteen other municipalities equally large each handling less than 100 cases a year. Most of these organizations are still in private hands. Many of them are badly crippled by lack of funds. Eventually, though in numerous instances the transition will not and ought not to be brought about for years to come, they must become public bureaus. For only when the community itself guarantees justice to its every member, regardless of wealth, can justice fairly be said to be certain and free.

RECENT BOOKS REVIEWED

SPECIALIZED COURTS DEALING WITH SEX DELINQUENCY, A STUDY OF THE PROCEDURE IN CHICAGO, BOSTON, PHILADELPHIA AND NEW YORK. By George E. Worthington and Ruth Topping. Frederick H. Hitchcock, New York, 1925.

Jury trial has been on trial again, and again found wanting. From this study of four large courts dealing with sex offenses it becomes increasingly evident that new tools must be forged for the administration of criminal law. Perhaps no better evidence could be found of the wide discrepancy in terms both of the protection of the individual and of social welfare between legal safeguards, so called, and actual conditions of life, than is here presented. Trial by jury, bail, representation by counsel and appeal all seem to turn into abuses when brought to bear supposedly in the interest of protecting the rights and welfare of the woman accused of prostitution, especially if she is young and inexperienced in the ordinary ways of criminal "justice."

It was to ascertain whether trial by jury was a safeguard against sex discrimination in the prosecution of sex offenders in Chicago that the American Social Hygiene Association and the Bureau of Social Hygiene co-operated in making a study of the operation of four large courts specializing in the prosecution of this class of offenders. It is worthy of note that so obvious does the answer become as one reads through the chapters of this book, that in the last which synthesizes the best points found in these courts, one scarcely notices the omission of any reference to this and other historic bulwarks of the Anglo-Saxon judicial system.

Each court was dispassionately and objectively observed in the processes of its work and in the results achieved in a representative block of cases. The laws under which the courts operate, the volume of business they transact, the tools and resources with which they work, and the co-ordination of their parts have been the subjects of this inquiry. Happily these authors have succeeded in putting before their readers a simple, straightforward and clear account of what they saw. To one familiar with the problems inherent in the work of these courts, little interpretation is

required. The careful reader understands the significance of "it is stated" and "on information furnished by the department." Both he and the general reader gain a better understanding, however, when certain kinds of interpretive material is added as has been done here. Illustrative cases, statistics compiled from records to check against the generalized statements of officials, as well as the pointing out of deficiencies in procedure all help to give the picture.

Each court examined had its own collection of strong and weak points, but they were not the same for any two courts. Chicago seems to be long on laws defining all aspects of prostitution and sex delinquency but short on legal and social remedies. Philadelphia is short on law but long in its aggregation of methods of investigating cases. It seems unable, however, to relate its diagnostic findings to its methods of treatment. Boston has a superior probation staff, but is hamstrung on account of a curious legal situation which permits a trial *de novo* in any case in which it is requested. New York with its many good points is short on the means of carrying out an effective probation program.

Back of the problems of administration which this study probes so well lies the most difficult and challenging of all—the very definition of sex delinquency. It was not the business of these authors to examine this, and very wisely they refrained from emphasizing it. But, even so, they could not escape it entirely. They were compelled to make the distinction between exploiters of prostitutes and the prostitute herself and her customer. But the laws in many of our states add other classes which make all sex relations outside of wedlock illicit. It was interesting to note that in the Boston court, of fifty cases put on probation, thirty-eight were convicted for offense involving private immorality: adultery, fornication, lewd and lascivious cohabitation; and the remaining twelve for commercialized forms of prostitution: keeping houses of ill-fame, violating the True Name Law, "common night walker." New York, on the other hand, has no law making fornication an offense. Apparently one of the big questions in this country is whether private immorality is a public offense and, if so,

how we shall enforce the law. That sense of justice, which is balked in so many directions, might find an outlet here to do some good, solid, unemotional thinking.

NEVA R. DEARDORFF, M.D.



BOSTON YEAR BOOK, 1923-1924. Boston: City Printing Department, 1924.

YEAR BOOK OF THE CITY OF CHARLESTON, SOUTH CAROLINA, 1923. Charleston: J. J. Furlong and Son, 1924.

Though these two volumes are similar in title, they are quite different in character. The Charleston Year Book is, as its name implies, simply an annual report of the city government. The Boston Year Book, on the other hand, might more properly be termed a manual of municipal activities. In fact it is somewhat more, for it includes a mass of information concerning social and economic conditions within the city. In method of presentation the two volumes are also quite dissimilar. The former might well be cited as a representative of the Dark Ages of municipal reporting, while the latter, if not an example of the best type of reporting, is at least a readable and well illustrated volume worthy of the citizen's attention.

The Boston Year Book is chiefly devoted to an account of the development and work of the city administration considered department by department. The antiquarian will find here a description of the beginnings of the police and school systems of the municipality, while others may obtain an interesting panorama view of the multifarious activities of a large modern city. In addition to the sections dealing with municipal administration proper, there are chapters covering such subjects as manufacture, labor unions, private welfare activities and the cost of living. Noteworthy among these special chapters is one summarizing the organization and work of the various metropolitan districts which serve the greater city. Finally, the report contains an extensive compilation of statistics of population, municipal finance and industrial and commercial conditions of metropolitan Boston.

Although admirable in many respects when viewed as a popular manual, the Boston Year Book is far from uniform in quality. If some sections such as those dealing with the budget department and the park department have been prepared to supply the citizen with a fair under-

standing of his local government, others have been written chiefly for the purpose of extolling the glories of the existing administration, and a few departments have been slighted almost entirely. The arrangement also leaves much to be desired. Curiously enough departments are treated in alphabetical order without the least effort to bring together those which possess related functions. In contrast with the average municipal report, however, the volume contains much that is worth reading and is largely free from the meaningless statistics and picayune details that destroy the value of so many public documents.

Of the Charleston Year Book little need be said. It is an illustration of an all too familiar type of municipal reporting, one which demands little effort and no imagination on the part of the authors and benefits few save the publisher. From a careful perusal of this document one may indeed learn the exact number of cows removed by the dead animal contractor in the month of May and the number of letters written by the bureau of foreign trade and port development during the year. But one will look in vain for an intelligible analysis of the city's revenues and expenditures, or for an informing survey of the activities and problems of the principal administrative departments. Yet in one respect, at least, this volume stands out among its kind. The mayor's letter of introduction, a missive rich in the most impassioned of Pre-Gothic oratory, is a gem for which one might long search in vain.

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SURVEY OF BOMBAY.

To the growing library of reports on municipal surveys may now be added the final report of the retrenchment advisor on "Municipal Retrenchment and Referendum for the City of Bombay, India."

This report results from the appointment of a retrenchment committee by the Bombay Municipal Corporation in January, 1924. Sir M. Visvesvaraya was appointed to the position of retrenchment advisor, working with a limited staff drawn from the civil list. The final report, which is dated January 31, 1925, is divided practically into three sections.

The first section deals with the future development of Bombay and discusses the need for continuous investigation of the city's province,

housing, transportation, civic education, public works and utilities, city planning, etc.

The second section is concerned primarily with work done and proposals submitted and treats essentially of certain administrative reforms proposed and of the proposed reorganization of the Engineering Department and control of bond expenditures.

The third section, which constitutes more than one-half of the report is in the form of appendices, and is substantially an efficiency study of some sixteen divisions of the city government.

The retrenchment advisor states that the preliminary report showed that a saving of roughly 10 per cent might be secured and that a saving of 8 per cent has been effected, while proposals for further savings are under way.

It is interesting to note that one of the earliest recommendations of the advisor is to the effect that the Retrenchment Committee be continued as a permanent official research bureau and that steps be taken to organize a privately supported research bureau to supplement its work and serve as a check on public activities.

The committee may be addressed as the Committee on Retrenchment, Municipal Corporation of Bombay.

LENT D. UPSON.



SIMPLIFIED SCHOOL ACCOUNTING. By Arthur J. Peel, consulting accountant, Boston. Bruce Publishing Company, Milwaukee; 1925. Pp. 118.

Severe critics of the essentials of a system of government accounting would challenge important features of the system of public school accounting described in this book, which, briefly stated, are as follows:

1. The cash balance is allocated to the "general fund," "special funds" and "trust funds," but otherwise the income accrued, expenditure incurred, resources, obligations and surplus available for appropriation are not accounted for with respect to funding restrictions.

2. Complete accounting for proprietorship by the school administration is provided for; that is, accounting for the assets and liabilities and their liquidation. But no exception to these accounting requirements is recognized when proprietorship is not the responsibility of the school administration; that is, when the school administration is not responsible for the collection of taxes, the

payment of bills, the provision for the retirement of debt, and so forth.

3. Accounting for appropriation balances is provided for in more or less memorandum form rather than controlled through the general ledger.

4. An annual "balance sheet" is provided for, which includes capital as well as current assets and liabilities and arrives at a "surplus." Hence, this "surplus" denotes an excess of all assets over all liabilities but not a sum which is expendable or available for appropriation.

5. Proceeds from the sales of bonds and issuance of temporary loans are classified as "revenues"; that is, it would be implied in the analysis of income that these receipts do not create corresponding obligations.

6. The cost analysis of expenditures provides that "overhead" shall be distributed to each school and each grade or subject taught, including expenditures for general administration, physical instruction, entertainments, lectures, purchasing and stores control. It is provided then that unit costs be arrived at on the "per capita" or pupil day basis.

Speaking for these critics, the writer will say that the methods of commercial accounting should be followed with discrimination in public school accounting as in all other government accounting. On the other hand, the fiscal responsibilities peculiar to a public school administration lead to the application of accounting methods that are not common to commercial accounting. In public school administration, funds are created by law which require that income from specified sources be expended only for specified purposes. Budgets are commonly prepared, when it is necessary to know the surplus available for appropriation in each fund, including the receivables in each fund that have not yet been collected, and the obligations that are still to be paid from those receivables. The accounts must provide this information and they must further show whether the income of any particular fund has been expended only for the purposes of that fund.

When the accounts of resources and obligations are not allocated in the accounting system to the respective funds, they serve only the purpose of showing whether cash is properly accounted for and whether collections are being made and bills or other obligations paid as required. These are commonly responsibilities of a school administration to a greater or less extent, but often of another governmental unit,

the former's fiscal responsibility being then limited to the incurring of expenditures. Under the latter circumstances, the accounting for the liquidation of assets and liabilities would be incorporated with the other accounting procedure of the governmental unit responsible therefor and would not be an integral part of separate school accounting.

In a manufacturing enterprise, it is necessary to know actual cost of most operations in order to fix a selling price. In public school administration, it is necessary to know costs only to reduce expenditures to a minimum consistent with the services required. For this purpose overhead may be criticised in its proportion to direct expenditures but it is not necessary to distribute it minutely to various operations on a more or less arbitrary basis.

Briefly, the above indicates the line of criticism that may be directed to the system described in this book. Speaking from the standpoint of the premises assumed by the author, the writer is eager to say, however, that the system of recording has been carefully worked out, consistent with the comprehensiveness which it attempts. In this respect, it is thought to be a capable piece of work and should be helpful to public school administrators. The records are detailed but concise, and unnecessary bookkeeping labor has been well avoided.

The subject of depreciation has been introduced and then somewhat hastily dismissed. It would have been better to omit this matter entirely, as it is not pertinent to the fiscal administration of schools, in our opinion. The tone of the text is evangelistic in places but the language is clear and readable.

WILLIAM WATSON.

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SOUTHERN PIONEERS. Edited by Howard W. Odom. University of North Carolina Press, Chapel Hill, N. C., 1925. Pp. vii, 221.

This volume, edited by Professor Odom of the University of North Carolina, contains biographic sketches of Woodrow Wilson, Walter

Hines Page, Charles Brantley Aycock, Seaman A. Knapp, Augustus Baldwin Longstreet, Joel Chandler Harris, Booker T. Washington, Madeline McDowell Breckinridge, and Edward Kidder Graham. Each one of these sketches has been written by a person acquainted with the life and work of the subject. The sketches are interesting and some of them have literary merit.

Why this book should have been called *Southern Pioneers* is not apparent from the text. The nine characters whose lives are briefly sketched are not pioneers but contemporaries. All of them, with one exception, lived during the latter half of the last century and some of them almost up to the present time. Certain of them may be looked upon as pioneers in the work they did for the South, but not all can be so regarded. Some did not even live in the South. Knapp was born in New York and lived in Texas for a time before taking up work for the United States department of agriculture. Although Wilson and Page were born in the South, each one lived there only during the early part of his career. By the same method the South might lay claim to Mark Twain and many others who were born below the Mason and Dixon's line but later moved north, where they found better opportunities for self-development.

Professor Odom has written an introductory chapter which has many things in it that should be of vital interest to Southerners. He analyzes briefly the social and economic conditions of the South. He discusses the lack of great universities and the narrowmindedness of those in charge of many of the present southern schools and colleges. He points to the backwardness in the development of the natural resources of the southern states. The main reason for these conditions he asserts lies in the southern people themselves. "The South," he says, "is too proud of its non-progressive fundamentalism and enjoys an easy-going rationalism which places entirely too much responsibility for its shortcomings upon the Lord."

A. E. BUCK.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY W. A. BASSETT

Laxity in the Operation of Sewage Disposal Plants.—Timely comment on the serious laxity which exists in the operation of many sewage disposal plants, particularly in the smaller communities, was made recently by Mr. T. Chalkley Hatton, in a paper read before the Wisconsin Engineering Society. Mr. Hatton states that a study of conditions in Milwaukee County disclosed the fact that not one of the eight municipal plants nor any of the various institutional and industrial sewage disposal works within the county produced an effluent materially purer or more stable than the influent. Also no one of the plants in question is operated as the engineer who designed it intended that it should be. This study further disclosed a practically universal lack of maintenance of the plants, insufficient funds being provided for this purpose with little if any direction over their expenditure. Moreover, there was apparent an almost universal lack of appreciation on the part of those responsible for directing the operation of the plants of the fact that skilled and competent labor is essential to efficient operation and the accomplishment of the purpose for which the plants were built. All in all, Mr. Hatton's paper constitutes an arraignment of the manner in which sewage disposal plants are operated in Milwaukee County. One serious feature of the situation is that it is highly probable that a more extensive study would disclose comparable conditions in practically every state.

There is no reason why conditions such as these should exist or why their continuance should be further tolerated. There is sufficient knowledge available to-day on the problem of sewage disposal to enable designing methods of treatment to meet practically every condition encountered in a reasonably economical fashion. It is necessary first, however, to impress on the public and particularly the elected official that the treatment of sewage has a very definite purpose, and the determination of the most suitable method to be used is a technical problem requiring experienced judgment and technical skill. Also that the responsibility of the official concerned with providing suitable disposal facilities does not end with the completion of the necessary construction work but includes

making suitable provision for competent operation and maintenance.

Many states have passed laws making it mandatory for municipalities within the state to provide treatment works for sewage. Ordinarily, jurisdiction over the enforcement of this requirement is vested in the state health departments. The powers of these departments could well be extended to include responsibility for securing competent operation also. In these days when so much serious consideration is being given by state governments to the problem of preventing the pollution of streams with industrial wastes so as to avoid producing conditions inimical to the efficient operation of sewage disposal plants, it is certainly up to the local community to do its part towards ensuring the latter.

Mr. Hatton recommends that the smaller cities, those with population under 5,000 which discharge sewage into Lake Michigan or its tributaries, should in general be required merely to provide for the removal of a part of the solids from the sewage, relying on dilution and subsequent digestion to effect a satisfactory disposal of the remainder. There are doubtless many communities for which this would be sound advice. The emphasis placed by Mr. Hatton on the need for designing sewage treatment works so as to simplify as much as possible the operation of these plants deserves the serious attention of those engineers identified with this class of work.

◆
More Economical and Simplified Practice in Building Design and Construction.—Greater economy in building construction should result from the simplified practice recommended by the Building Code Committee of the United States Department of Commerce in its two latest reports, "Minimum Live Loads Allowable for Use in Design of Buildings" and "Recommended Minimum Requirements for Masonry Wall Construction." The minimum loading requirements recommended by the committee represent, in general, a reduction of from 20 to 30 per cent, from those governing current building design practice. This applies particularly to buildings designed for commercial purposes.

Facts disclosed as the result of the committee's investigations establish clearly that existing loading requirements in many codes are too high for certain light commercial and industrial occupancies. This is probably due to choosing minimum loading safe for all uses of this character in the effort to secure safety in structures subject to unexpected and possibly unregulated change of use. Applied indiscriminately, these minimum requirements have occasioned unnecessary expense in many cases for the construction of floors heavier than needed for the character of occupancy proposed. In presenting its recommendations for minimum live loads the committee emphasizes the fact that the loading permitted is in all cases the minimum for the particular uses designated and must be increased where any modification of this use within the structure is contemplated. In applying these requirements to the regulation of building construction, there are three essential steps. The first, obviously, is the stipulation in the code of a low minimum live load required for each class of occupancy. The second involves the designating by the official responsible for regulating building construction of such additional loading requirements as change of occupancy may demand. The third is a matter of providing for the periodic inspection of buildings designed for certain classes of occupancy in order to guard against changes that might result in an overloading of the structure.

The requirements for masonry wall construction recommended by the committee are designed to simplify practice without endangering safety. Although substantially lower than those stipulated in some building codes, these requirements are not lower than those in use by cities which have satisfactory regulation of private building construction. Obviously, the recommendations of the committee are predicated on the assumption that good materials and workmanship will be used and care taken in the construction work consistent with the requirements of sound practice. In both of these matters the committee recognizes the necessity of an effective system of building regulation and makes specific recommendations for effecting satisfactory control over this work. With regard to this phase of the problem the committee offers the following illuminating comment.¹

¹ Report of Building Code Committee, *Recommended Minimum Requirements for Masonry Wall Construction*, June 26, 1924.

The municipal building inspector is not and should not be held wholly responsible for safety of buildings. His duty, like that of the policeman, is to prevent dangerous conditions, so far as his facilities will permit, but reasonable precautions having been taken, he is no more responsible for failures than the policeman for crimes. The builder or his accredited representative, having undertaken erection of the structure, is responsible for safe prosecution of the work. Building erection, especially of the large structures now prevalent, is an operation of great complexity involving numerous possibilities of mishap, both to those engaged in the work and to future occupants. The risks involved and the knowledge demanded of those in charge are far greater than in the case of many trades or occupations now rigidly controlled. Nevertheless, such work is frequently undertaken by those having practically no experience and often assuming an antagonistic attitude toward the building inspector's efforts to insure safety.

In view of these facts some discretion should be accorded building officials as to who may be granted permits. The committee does not necessarily advocate licensing of builders, but does hold that local practice should strongly favor the issuance of permits only to responsible individuals experienced in building work and competent to assume responsibility for their employees and subcontractors; and that building officials should be empowered to refuse permits to those known to be unfit for the work proposed or who have failed formerly to co-operate sufficiently with municipal inspection to insure reasonable safety. This means that permits would be issued only to the builder, architect, or person who is responsible for erection of the building, and not necessarily to the owner.

The recommendations of the Building Code Committee in both of its reports should, if carried out, result in a material reduction in the cost of building construction without lessening the protection against building failures. However, a prerequisite to realization of these benefits on the part of any community is the establishment of an effective system of regulating building construction. This means competent personnel for the examination of plans and the inspection of construction. The recent adoption of zoning ordinances by many communities affords a means of regulating occupancy of buildings. A building code and a zoning ordinance are essential parts of any system of building regulation. The scientific methods employed by the building code committee, together with the high professional standing of the members of that committee, make its recommendations deserving of the most careful consideration by all parties concerned with building construction and its regulation.

Comprehensive Sewer Plan Proposed for Los Angeles County.—Joint participation on the part of sixteen cities and as many more unincorporated towns, is a feature of a proposed plan to provide sewerage facilities for that section of Los Angeles county outside of the city of Los Angeles. According to Mr. A. K. Warren, chief engineer, Metropolitan Sewer Districts, Los Angeles county, who outlines the essential features of the proposed plan, in a recent issue of the *Engineering News-Record*, the present estimated population of the area to be served is 377,000 and it is proposed to design the system for an estimated future population of 1,300,000. For the purpose of carrying out this plan the district to be served is divided into eight sewer districts. Under the County Sanitation District Act, chapter 250, Laws of 1923, the power to establish such a district is vested in the county board of supervisors, subject to referendum on petition of two per cent of the registered electors. After its establishment the administration of district affairs is conducted by a board of directors, generally comprising the president of the board of trustees of each of the cities included within the district together with the chairman of the county board of supervisors. Funds for construction purposes are provided out of bond issues authorized by a two-thirds majority of votes cast at special district elections. Up to the present three districts have voted bonds amounting to \$9,120,000 for sewer improvement purposes. Sewage dis-

posal is to be accomplished by gravity discharge after passing through fine screens through a joint outlet sewer to a submerged multiple outlet located about half a mile off shore.

Details as to the method to be used in allocating the cost of the joint outlet sewer among the communities participating in its use are not available. The substantial endorsement already given this project by the public of Los Angeles county is encouraging as indicating an awakening appreciation on the part of the public with regard to the necessity of making ample provision for sewerage needs and also the value of co-operative community action in making available sewage disposal facilities.

Moreover, it is evident that the public of Los Angeles county has profited by the experience of the public of the city of Los Angeles which early in 1922 for the third time defeated a bond issue for a new outlet sewer and treatment works, although warned as to the imminent need of these facilities by the engineering and health departments of the city government. Subsequently, what was to be expected happened. There was serious flooding with sewage of streets and premises, resulting in financial loss and damage suits against the city. Later in 1922 the necessary bond issue for the required treatment works was passed by a substantial majority, but only after an unnecessarily costly experience of that city and one that indicates that the voice of the people is not always the voice of wisdom.

NOTES ON MUNICIPAL ACTIVITIES ABROAD

EDITED BY WILLIAM E. MOSHER

Municipal Housing.—The Town Planning Committee of Jarrow, England, offers some interesting data concerning the relative costs of erecting houses of similar types by the municipality on the one hand and private companies on the other.

According to their report one hundred and forty-four houses were built by contractors at an average price of nine hundred and sixty-four pounds each, whereas thirty-four were built under municipal control at a cost of six hundred and eighty-six pounds each.

The Bradford Corporation issues a similar report when one hundred houses were erected by the corporation engineer and surveyor. In spite of the fact that the cubic space was 25 per cent larger than in houses of the same type constructed under contract and better tile and material were used, the direct labor houses cost 855 pounds and the contract houses 864 pounds. The average costs for 1923 shows a saving of 58 pounds on every house built by direct labor.

The success of the Bradford undertaking is due, according to the report, to the more liberal method of treating the workmen employed on the houses. The basic agreement with the workmen called for full time and full wages, the transportation of workers coming from outside were paid and the terms as to sick pay and holidays were more favorable than was customarily the case. The result of this policy was that the work was uninterrupted and the houses built in record time.—*Local Government News, May, 1925.*

Population and Housing in the Rhine Provinces.—One of the most significant changes that have taken place in the last one hundred years in the Rhine provinces is that the percentage of the population dwelling in cities has increased from twenty-three to over sixty-six. This has been accompanied by a doubling of the population density since 1871—there being now an average of 276 people to a square kilometer.

Such a rapid development has resulted, of course, in the more or less uncontrolled growth of the cities themselves and has led to a serious housing and building problem. About twenty years ago there was launched in the Rhine Prov-

ince a movement which had as its basis the slogan, "Disfigurement of the Country" (*Enstellung des Landes*). Conferences were called and a number of associations were organized which had as their purpose the arousing of the people to an appreciation of more attractive and more sanitary houses and buildings. One consequence of this movement is that there have been established a large number of advisory units which have had a very wholesome influence on housing conditions. Associated with these units, if not at the head of them, are architects, university professors and public officials. Magazines have been published, series of lectures have been given, and exhibits have been held throughout the province.

This same movement has resulted in the extension of credit at reasonable rates of interest and, through the backing of a number of public agencies or organizations, in supplying building material at reasonable, if not low, figures. It has further aided by the opening of streets and by the granting of preferential treatment in the purchase of land for housing and building purposes.

In spite of the setback due to the war, this movement is now getting under way again, and promising results are expected as time goes on.—*Landrat Dr. von Reumont Erkelinz und Dr. Meves, Dusseldorf.*

Science of Municipal Government.—It is reported that the University of Berlin has recently founded a small library for the Science of Municipal Government in connection with the practical course given on this subject.

The object of the course is to acquaint students with all branches of municipal administration as handled both in Germany and in foreign countries and to give them systematic instructions in the materials necessary for the work of municipal departments at the time of entering into the public service. Much interest has been shown both by beginners and advanced students.

Professor Blachly of the University of Oklahoma recently delivered a lecture before this group on the structure of municipal government in the United States. He compared the mayor-council, the commission, and the commission manager types of government.—*Les Science Administratives, No. 6, 1925.*

Land Purchase by Municipalities.—The Minister of Public Health of England recently gave out interesting information concerning the number of cities which have the power to purchase land in anticipation of future needs. There are thirty such cities. The following are among those which have made use of such authority:

Name	Area	Purchase Price Pounds
Birmingham.....	112	467,167
Nottingham.....	972	220,800
Portsmouth.....	564	47,000
Bolton.....	375	15,280

—*Local Government News*, May, 1925.

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Cost of Legislation.—Mr. N. Chamberlain, Minister of Health of England, was requested to give information as to the costs paid by local authorities in supporting bills in Parliament. The only figures which were cited had to do with eight bills considered in 1924. The costs reported totaled 18,000 pounds. This information might be of interest to those who are seeking various methods of measuring legislative activities. This is a source of expenditure that has not been generally recognized in budgets of the municipality, but one which undoubtedly is legitimate and concerning which interesting information may be gathered by students of state government.—*Local Government News*, May, 1925.

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Government and Public Affairs in the Rhine Province.—These notes have already contained reviews of special issues of the *Zeitschrift für Kommunalwirtschaft* which deal with individual German cities and provinces. The most recent issue of this sort under the date of May 25, 1925, is devoted to a discussion of the Rhine province. It is published at this time because of the thousandth anniversary of the founding of the Rhine province.

According to the customary method of treatment articles have been prepared by qualified experts. They cover the fields of industry, commerce, finance, transportation, public administration, housing and general culture. The gist of those of interest to the student of government is brought together in the following paragraphs.

The development of provincial home rule, which corresponds on the whole to our state rights, is summarized from the beginning of provincial government to the present. This article sets forth the delimitation of control and function as between the central government, i.e. Prussia, and the local communities. This review begins with the year 1826 when the provincial legislature first met. In general, it is pointed out that public administration has developed step by step in the direction of provincial self-government according to what appears to be an inherent necessity. And at the present time in spite of a certain opposition to provincial autonomy, there seems no reason to doubt but there will be a continual increase in the field given over to what we would call "state rights."

By way of illustration it is indicated that the province has taken over more and more of the welfare work, the institutions for defectives and cripples, the care of the youth and the poor, the incorrigibles; public highways; public work in connection with rivers, swamps and the like; agricultural education; insurance against fire; invalidism and old age; credit for public enterprises and the like.

The author looks forward with the utmost confidence to the further development of autonomous administration in social, economic and cultural fields.—*Landeschaufmann Dr. Horion, Düsseldorf*.

✱

Public Gas Works.—An illustration of the rapidity with which public enterprises have gotten under way is found in a report on the extension of gas works since 1837, when the first private corporation began operations. At the present time there are one hundred and forty-four cities being supplied by gas. Forty-two of these are supplied by means of piping from other cities. For this purpose over 60,000 kilometers of pipes have been laid. Taking it all in all over one-half the inhabitants in the province procure their gas from these works. The first city to try public ownership and control was Barmen in 1846. In 1875 twenty-six of the sixty-seven gas works were owned and controlled by the municipalities, while to-day one hundred and eleven of the total one hundred and forty-four are so controlled.—*Direktor Dr. Schillo, Mülheim-Ruhr*.

NOTES AND EVENTS

Budget Facts from Minneapolis.—"Budget facts" is the title of an interesting pamphlet issued by the board of estimate and taxation of the city of Minneapolis. This pamphlet was prepared under the direction of Mr. George M. Link, secretary of the board. The purpose of the pamphlet is to give the basic information relative to the financial affairs of the city government and to outline the cost of operation and of improvement projects. The outline is according to the various funds. Comparative costs and tax rates are exhibited both by tables and charts. Perhaps the most interesting part of the pamphlet is the analysis of the city's debt.



The Detroit Bureau of Governmental Research has issued as a number of its *Public Business* (July 10, 1925) an analysis of the cost of the government of the city of Detroit for 1925-1926. The operating budget of the city government is presented according to the activities. The outlays for improvements is shown according to projects. The total budget for the fiscal year beginning July 1 is more than \$125,000,000. This is an expenditure of approximately \$125 for every person living in the city. A budget bureau under the mayor is now functioning as the staff agency in the preparation of the budget.



The Gasoline Tax.—Mr. Henry R. Trumbower, economist of the U. S. Bureau of Public Roads, writing in the *Review of Reviews* for July on the gasoline tax, points out that all but four states now have such a tax. The states that have not yet adopted the gasoline tax are Illinois, Massachusetts, New Jersey, and New York. The rate of the tax is from one to five cents on each gallon, the most common rate being two cents. The amount of gasoline tax paid during 1924 in the 35 states then having such a tax was approximately \$80,000,000.



Proposed Plan for Administrative Reorganization in Texas.—The University of Texas has recently issued a bulletin entitled, "The Reorganization of State Administration in Texas." This bulletin was prepared by Professor Frank M. Stewart of that institution. It is a painstaking study of the existing organization of the state administration in Texas. Mr. Stewart proposes

a plan of reorganization based upon the needs of Texas and with due regard for the experience of other states in the matter of administrative consolidation. He recommends that the 91 existing administrative agencies should be consolidated into 14 departments under the control of the governor, and a council of education appointed by the governor to supervise the institutions of higher learning. The departments are as follows: finance, taxation and revenue, state, law, military affairs, education, health, agriculture, labor, commerce, conservation, public welfare, public works and buildings, and employment and registration. This plan of reorganization requires constitutional changes, since Texas has six constitutional officers besides the governor. The office of lieutenant governor is to be abolished. Mr. Stewart also proposes a plan of reorganization without constitutional changes, the arrangement of which is not so orderly as the other plan. It is estimated that the annual cost of the state administration can be reduced \$1,000,000 by reorganization and the services greatly improved at the same time. This report is worthy of serious consideration on the part of the citizens and legislators of the state of Texas. They should find its 120 pages not only instructive but quite readable.



California's New Type of Bond.—The state of California has a new type of tax exempt bonds which not only produces wealth, but which earns sufficient to pay both interest and principal without requiring additional taxation. These securities are the California irrigation bonds. They are said to combine the characteristics of both municipal and utility bonds. Certain irrigation districts are empowered to issue these bonds. They are secured by the property in each district; and as an investment, they are exempt from the federal income tax. Certain large power companies have agreed to pay the irrigation districts for the privilege of using the stored water for generating power. The payments of these companies are declared to be more than sufficient to cover interest and serial maturities on the bonds issued by the districts.



Proposed Constitutional Amendments in New York.—Four constitutional amendments are to

be submitted to the voters of New York state at the general election in November. Three of these amendments are quite important and have already been the subject of much discussion. The least important is an amendment to article 6 of the constitution relating to the judiciary.

One of the amendments to which considerable publicity has been given is the proposal to empower the legislature to create a debt of not exceeding \$300,000,000 for the elimination of railroad grade crossings. Fifty per cent of the cost is to be borne by the railroads, 25 per cent by the state government, and 25 per cent by the city, town, or village.

Another of the proposed amendments is designed to empower the legislature in each of ten calendar years to authorize the creation of a debt not exceeding \$10,000,000 in any one of these years, the proceeds to be used mainly in the construction of buildings at the various state institutions. Under this plan \$100,000,000 of bonds may be issued over a period of ten years and spent under the direction of the governor. This proposed amendment has already been the subject of a joint debate in Carnegie Hall, New York City, between Governor Smith and ex-Governor Miller. This discussion attracted wide attention and was broadcasted to the country through radio.

Last but not least among the proposed amendments is one providing for the consolidation of the multitude of existing state administrative agencies into 20 departments, and abolishing the elective offices of secretary of state, state treasurer, and state engineer. The state comptroller's duties are to be limited to those of audit and control. The proposed departments are as follows: (1) executive, (2) audit and control, (3) taxation and finance, (4) law, (5) state, (6) public works, (7) architecture, (8) conservation, (9) agriculture and markets, (10) labor, (11) education, (12) health, (13) mental hygiene, (14) charities, (15) correction, (16) public service, (17) banking, (18) insurance, (19) civil service, and (20) military and naval affairs. The departments of audit and control and of law are to be headed by the comptroller and attorney general respectively, both of whom are to remain elective for the same term as the governor and the lieutenant governor (two years). The head of the department of education is to be appointed by

the regents of the university, and the head of the department of agriculture and markets is to be appointed in the manner prescribed by law. The heads of the other departments are to be appointed by the governor with the advice and consent of the senate. No new departments are to be created. In the event new functions are undertaken, they are to be placed under one of the twenty departments. This proposed amendment has been the subject of almost continuous discussion since the constitutional convention of 1915. It has been sponsored from time to time by both the Democrats and the Republicans of the state. Some refer to it as the Smith plan, others as the Root plan of reorganization. We shall expect to hear more of this, as well as the other amendments, when the big artillery is drawn up and put in line for the fall campaign.



Survey of State Debts and Securities.—The Bank of America, New York City, has just published a comprehensive and valuable survey of the state debts and securities. It is a revision of a similar publication brought out in 1922. By means of tables and charts, it presents a comparative view of the entire field of state financing by means of bonds. This survey shows that between 1922 and 1925 approximately \$577,500,000 of new state bonds were issued, while about \$90,000,000 were retired. The present gross bonded indebtedness of state governments totals more than \$1,558,000,000, which amounts to a national per capita debt of \$13.89. New York has the largest bonded debt of any state in the Union, namely, \$320,991,000. Massachusetts stands second with a debt in round numbers of \$125,000,000; Illinois is third with a debt of \$112,000,000, and North Carolina is fourth with \$105,000,000. Three states, Nebraska, Kentucky and Wisconsin, have the distinction of having no bonded indebtedness. Kentucky has over \$5,000,000 of floating indebtedness, and Wisconsin is indebted to its trust funds to the extent of \$1,900,000. South Dakota has the highest per capita debt of any state in the union, it being \$93.95, or nearly six times as great as the national per capita debt. Oregon is second with a per capita debt of \$72, North Carolina is third with \$38.87, and Delaware is fourth with \$36.76.

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